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THE

PARLIAMENTARY DEBATES,

New Series,

VOL. VIII.

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TO

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PARLIAMENTARY

THE

Parliamentary Debates

During the Fourth Session of the Seventh Parliament of the United Kingdom of Great Britain and Ireland, appointed to meet at Westminster, the Fourth Day of February 1823, in the Fourth Year of the Reign of His Majesty King GEORGE the Fourth.

HOUSE OF LORDS.

Tuesday, February 4, 1823.

THE KING'S SPEECH ON OPENING THE SESSION.] This day the Session was opened by Commission. The Commissioners were, the Archbishop of Canterbury, the Lord Chancellor, and the Earls of Harrowby, Westmorland, and Shaftesbury. The usher of the black rod having been ordered to require the attendance of the House of Commons, he withdrew. The Speaker, accompanied by several members, having appeared at the bar, the Lord Chancellor opened the Session with the following Speech to both Houses:—

"My Lords and Gentlemen;

"We are commanded by his majesty to inform you, that since he has met you in parliament, his majesty's efforts have been unremittingly exerted to preserve the peace of Europe.

"Faithful to the principles which his majesty has promulgated to the world as constituting the rule of his conduct, his majesty declined being party to any proceedings at Verona, which could be deemed an interference in the internal concerns of Spain, on the part of Foreign Powers; and his majesty has since used, and continues to use his most anxious endeavours and good offices to allay the irritation unhappily subsisting between the French and Spanish governments, and to avert, if possible, the calamity of war between France and Spain.

"In the east of Europe, his majesty flatters himself that peace will be preserved; and his majesty continues to receive from his Allies, and generally from other powers, assurances of their unaltered disposition to cultivate with his majesty those friendly relations which it is equally his majesty's object on his part to maintain.

"We are further commanded to apprize you, that discussions having been long pending with the court of Madrid respecting depredations committed on the commerce of his majesty's subjects in the West-Indian seas, and other grievances of which his majesty had been under the necessity of complaining, those discussions have terminated in an admission by the Spanish government of the justice of his majesty's complaints, and in an engagement for satisfactory reparation.

"We are commanded to assure you, that his majesty has not been unmindful of the addresses presented to him by the two Houses of Parliament with respect to the foreign slave trade. Propositions for the more effectual suppression of that evil were brought forward by his majesty's plenipotentiary in the conferences at Verona; and there have been added to the treaties upon this subject already concluded between his majesty and the governments of Spain and the Netherlands, articles which will extend the operation of those treaties, and greatly facilitate their execution.

"Gentlemen of the House of Commons;

"His majesty has directed the estimates of the current year to be laid before you. They have been framed with every attention to economy; and the total expenditure will be found to be materially below that of last year.

"This diminution of charge, combined with the progressive improvement of the revenue, has produced a surplus exceeding his majesty's expectation; his majesty trusts, therefore, that you will be able, after providing for the services of the year, and without affecting public credit, to make a further considerable reduction in the burthens of his people.

"My Lords and Gentlemen;

"His majesty has commanded us to state to you, that the manifestations of loyalty and attachment to his person and government, which his majesty received in his late visit to Scotland, have made the deepest impression on his heart.

"The provisions which you made in the last session of parliament for the relief of the distresses in considerable districts in Ireland, has been productive of the happiest effects; and his majesty recommends to your consideration, such measures of internal regulation as may be calculated to promote and secure the tranquillity of that country, and to improve the habits and condition of the people.

"Deeply as his majesty regrets the continued depression of the agricultural interest, the satisfaction with which his majesty contemplates the increasing activity which pervades the manufacturing districts, and the flourishing condition of our commerce in most of its principal branches, is greatly enhanced by the confident persuasion, that the progressive prosperity of so many of the interests of the country cannot fail to contribute to the gradual improvement of that great interest which is the most important of them all."

The Commons then withdrew. After which, the Speech being again read by the Lord Chancellor, and also by the clerk at the table,

The Earl of *Morley* rose. He said, that although the day was past, when their lordships for so many years, upon occasions similar to the present, were in the habit of hearing of the conflicts of fleets and armies, and of the rise and downfall of particular states, yet it might perhaps nevertheless be stated, that upon no occasion did the sovereign of these realms ever address to parliament, a speech more fraught with interesting matter, more pregnant with topics eventually bearing upon the future happiness of mankind, more declaratory of principles and sentiments dear to the hearts of Englishmen, than that which his majesty had that day been graciously pleased to deliver by his commissioners to their lordships and the other House convened at their bar. In proposing for the adoption of their lordships an address to the throne, he should, as a matter of course, feel it to be his duty to expose those general grounds, on which each paragraph in the address might be considered as founded, and as entitled to their favourable attention. The convulsions by which Europe had been agitated, during the last ten years of the past century, and the first fifteen years of the present, and the struggles to which those convulsions gave rise, could not but be fully impressed upon their minds. Whatever difference of opinion might have existed as to the territorial arrangements and general provisions of the treaties, by which, in 1815, those contests were finally closed, no difference had ever existed as to the fitness of abiding by them; of henceforth, in common with the rest of Europe, looking upon peace as the system to be adhered to; and of abstaining from all proceedings calculated, directly or indirectly, to disturb that state of repose, which exertions beyond all parallel had rendered essential to the general welfare. It could not therefore have been without the deepest regret, and he might add astonishment, that they had this day heard that, his most christian majesty had considered the state of affairs existing in Spain, as demanding the armed interference of France. He would not enter upon the principles upon which the present constitution of Spain was founded, nor upon the events of the 7th of July, nor upon the personal conduct of his catholic majesty since his restoration to his throne (a point which, if it was fit to enter into a detail of Spanish affairs, could not be passed over), nor upon the language held in the democratic clubs of Madrid, nor generally upon the situation of Spain; still less could there be any necessity for his attempting to expound the subtile and difficult question of the right which one state may possess, to interfere (by force of arms), in the internal concerns of another. In the statement of this question, facts and opinions were often confounded, and groundless apprehensions frequently held the place of both. As far as matters of such nicety could be rendered clear, such principles had been laid down and promulgated to the world in the circular letter sent by this government, to all the different ministers in Europe. His noble friend at the head of his majesty's treasury had last year taken a forcible distinction between the right of foreign interference which might exist in different cases, and especially noticed the difference existing in the cases of Naples and Spain. It was however clear, that all cases must claim, as they arose, their own particular application of principles, and that all attempts to apply rules upon a supposed state of things could lead in practice to nothing but error. It was therefore not necessary to argue whether the king of France had or had not a right to interfere in the internal affairs of Spain, or whether he took a correct view of his own affairs in asserting that right at Verona, and preparing to exercise it at present. It was sufficient for the exposition of the British government to state, that at Verona his most christian majesty did prefer such claim, and was unequivocally supported in it by the three great continental sovereigns who were there assembled. His majesty's ministers did not only discourage the assertion of this right of interference on the part of France, but when asserted, they did not admit its existence. They were deeply impressed with the paramount and transcendant necessity of maintaining that which had ever been declared by the confederated sovereigns themselves to be the grand object of their alliance—the general tranquillity of Europe. Appeals to the policy and moderation of France were reiterated at Verona and at Paris. No pains had been omitted, no efforts (short of those by which we ourselves might have instantly become principals in the war) had been neglected to impress upon France the certain present evil of war, in the existing circumstances of the world, and more especially the calamities which might result to France herself from a contest undertaken for the object in view, and under circumstances similar to those very peculiar ones which now applied to France. Certainly, it could not be for this country, and, above all, in the present century, to be insensible to the imminent hazard which must be incurred by any foreign army entering in a hostile manner into that part of the Peninsula. The peculiar and efficient mode adopted for the defence of their country by the great mass of the Spanish population, could only have become known to Europe for the purpose of being forgotten, if it could for a moment be thought, that the entrance into Spain by a foreign army did not, upon that army, induce hazards of the most serious character—

"quæ vos fortuna quietos
"Solicitat, suadetque experta lacessere bella."

It was not, however, from any idea of the peril of the enterprize, that his majesty's government receded. In their view no necessity for foreign interference existed: in their view, by such interference, the first of blessings and of wants, the peace of Europe, was instantly interrupted, and to be restored at a period which no man could foresee. Notwithstanding the anarchical and disorganizing principles on which the government of France had been founded in 1793, and its direct interference in the internal affairs of other states, by the official and ever-memorable invitation to the disaffected in all countries against their rulers, the government of this country never did, upon any occasion, avow the principle of interference in the internal affairs of France as such; so disinclined was the English government at all times to bring discredit upon that valuable general maxim, that the conduct of all independent states, in what related to their own internal administration, belonged, of right, exclusively to themselves. Upon this principle his majesty's present servants had acted at Verona; upon this principle they had acted and were still acting at Paris; upon this principle they claimed the confidence of their lordships and the approbation of the public. France, however, appeared about to enter upon the contest. If she did so (for fortunately the extremity of war might still be considered as uncertain), Europe and posterity would know that she commences the war upon her own responsibility, and with all the hazards and contingencies such as had been described. The exertions of his majesty, however, which could not have been otherwise than beneficial to the maintenance of peace, up to the present moment were still employed, and hope was not forbidden, that justice and true policy might eventually triumph.—Their lordships could not but approve the act of vigour which it was well known accompanied our latter remonstrances to the Spanish government, on the subject of depredations committed in the West Indian seas. It was certainly time, as well from regard to what was due to individual sufferers, as to the honour of the British flag itself, that effective measures should at length be adopted, to arrest proceedings so dishonourable and injurious. It was not to be imagined that this step was taken with any reference to the actual state of affairs in Spain, or from an idea that embarrassments in other quarters might more readily lead to an acquiescence in our just demand. Such was not the fact. The affair of the ship Lord Collingwood had last year made a strong impression in this country; and he was empowered to state, that the reclamations addressed to the Spanish government upon this subject had become urgent before the assembly of the congress at Verona, and further, that the courier who brought to London the acquiescence of the Spanish government in our demands, brought, at the same time, a proposition which marked, in the strongest manner, the friendly and confiding feelings of Spain towards this country, and in so much her absolution from all imputation of unfair dealing in this transaction. If, adhering to that pacific system prescribed by the unquestionable interest of all nations, the king lamented the war which threatened the peninsula, he could not do otherwise than feel satisfaction that his efforts for the preservation of peace in the eastern part of Europe were likely to prove successful. No Christian country could be insensible to the sufferings of the Greeks, or to the ravages of a civil war, which extended itself from the shores of the Adriatic to those of the Euxine. This government had not omitted to impress upon the Porte the necessity of a line of conduct more consistent with the dictates of humanity. Now, however, that a little time for reflection had been accorded, he thought that no Englishman could seriously have wished that a war should have been commenced for the amelioration of Turkey, or for securing a better administration of affairs, even to those regions to which are associated the fondest recollections of literature and of art, and to which all scholars and liberal statesmen must ever look with sentiments of affection and partiality.—Their lordships would be glad to hear that the parliamentary grants of last session for the relief of the distresses in Ireland, had answered their object. The extensive private subscription which accompanied those grants must, as a demonstration of English feeling, have had the effect of drawing still tighter the indissoluble bonds by which the two countries were united. Painful had been the discussions which, for many years past, had taken place on the subject of Ireland. Let them this day hail with joy his majesty's auspicious recommendation, to consider of such measures as should be calculated to promote the future tranquillity of that country, and permanently improve the condition of her people. Let them cherish the fond hope, that the work of substantial, practical, and gradual amelioration was about to be commenced. Let the real state of Ireland be probed to the bottom. Let every lurking grievance be exposed and remedied. Let the Irish proprietors, more especially, co-operate in the beneficial views of his majesty. Let such as are not prevented by public duty, repair to their native country, and by their presence, example, and counsel, assist in repairing the injuries which an unwise expatriation may have contributed to produce. He said nothing upon removing the civil incapacities under which a large portion of his majesty's Irish subjects laboured, being anxious to carry with him, upon the present occasion, not only the unanimous vote, but the unanimous feeling of the House.—After all the speculations which had been submitted to the public as to the cause of the severe calamity which had befallen that valuable class of the community, connected with the cultivation of the soil, he would not detain the House, at any length, with any views of his own: he might, however, say, that the prosperous state of agriculture, in 1818 and 1819, seemed to negative the opinion, that this calamity was produced by over cultivation, or (the peace having been concluded several years) from government having ceased to come as large purchasers into the market. He would rather be disposed to attribute the evil to the large importation of foreign grain, in 1818 and 1819 (in consequence of which many thousand quarters of grain must now be in the country more than there otherwise would be) to three abundant harvests following that importation,—to the diminution of the circulation of country banks, in consequence of the change of the currency, and to the operation of the act of 1806, by which the Irish cultivator, who pays less tythe and no poor-rates, comes into the market on the same footing as the English grower. It might be very well to say, that England and Ireland being united, such ought to be the case; but under such generalities great injustice was frequently concealed. The king's speech did not hold out the expectation, that any particular mode of relief would be proposed on the part of government; nor, on the other hand, did it express any opinion that the united energies of government and parliament might not be able to devise measures to mitigate the evil: he hoped such might be the case: if on no other grounds, on this, that such has always been found to be the admirable machinery and workings of our laws, that no grievance has ever weighed long upon any particular class, without some measure of relief having been devised. It would be idle to suppose, that in the present crisis any mode of relief could be brought forward, to which not only plausible doubts, but even just objections, might not be raised. The usual course of our practice might be changed, the dicta of the economists might be violated, principles which, under ordinary circumstances, should be held sacred, might be suspended; but these, perhaps, may scarcely be called evils, with reference to that annihilation of property, which it was to be feared was making progress in different parts of the country. The obvious interest and duty of government must, of course, lead them to recommend any plan which afforded a chance of success, even at some compromise of principle. But if they were conscientiously satisfied, that no plan could operate relief, they should not excite expectations on the part of the public. No sovereign of the present family had, antecedently to the last year, ever visited that part of Great Britain which lies to the northward of the Tweed. Having advertence to some peculiar circumstances relative to Scotland, and having ever in view, as a primary object, the uniting the hearts of all descriptions of his majesty's subjects, it would have been difficult to have devised a step more calculated to secure that object, than the visit which his majesty made last summer to his capital in Scotland;—of the general satisfaction and good order observable upon that occasion, he spoke before many who could confirm him as witnesses. Not only, however, was it in Scotland that loyalty and peaceable conduct had been manifest; throughout the kingdom might have been remarked an increased general tranquillity, and a comparative absence of that flagitious and seditious spirit by which unfortunately latter years have been characterized.—The House could not but feel gratified at the steps which had been taken for the abolition of the foreign slave trade: it was now 35 years since the nations of Africa had first to hail the name of Wilberforce: since that period great had been the efforts made by this country, in favour of this great, this christian object of general abolition. Some foreign governments might have been luke warm; some might not have given England credit for the sincerity and disinterestedness to which she was entitled. It was possible upon the assembling of the sovereigns at Verona, that his majesty's ministers might have submitted to them something more novel and attractive than the never-ending subject of the abolition of the slave trade. They, however, were not influenced by any such considerations. They knew what humanity dictated, and what the public voice of England desired; and they knew, unfortunately, that much yet remained to be achieved; and it therefore fell to the destiny of an illustrious duke, who had already contended for the freedom of one continent in the field, to contend at Verona for that of another in council, and by negociation. A recommendation to the maritime powers to declare all ships transporting slaves to be pirates, was, at the instance of the noble duke, sanctioned by the sovereigns, and, if adopted by them, the maritime powers would give a more effectual blow to this detestable and degrading traffic, than any antecedent measure had ever inflicted.—Upon the flourishing state of the revenue, and upon the gratifying prospect of a further very considerable reduction in the taxes, and upon the prosperous situation of our trade and manufactures, he would dwell but shortly: these all offered separate and most important themes for congratulation. In the present situation of the country, it was impossible to rate too highly the value—the immensity of these advantages, virtually affecting, as they did, the resources of the empire and the prosperity of the people. With regard to trade, it was difficult not to see in the events now passing in the world, the probability of a greatly increased trade with South America; a country far exceeding the whole of Europe in extent and also in fertility, and occupying on the surface of the globe, a situation unparalleled for the commercial advantages which it appeared to unite. If he had compressed still further what he had to state, he should not have discharged his duty to the House,—to his majesty's ministers, or to the momentous subjects which had come under review. The situation of the country was in many respects one of anxiety;—the depression of the agricultural interests,—the anomalous state of Ireland,—the uncertainty of continental events were sources of watchfulness and solicitude. If, however, on the one hand, there were points on which the public anxiety must still be protracted, there were not wanting, on the other hand, topics of just pride, and of well-grounded hope. Let their lordships carry to the foot of the throne, the expressions of loyalty and attachment which it was always grateful to the princes of the house of Hanover to receive from that House. Let them with firmness support the king on the pinnacle of glory, on which, as with reference to the events of the late wars, he might most fairly be considered as standing. Let them, by their unanimity, strengthen the arm of his servants; and let them entertain a confident hope, that their vigilance, their moderation,—their love of England,—would conduct the country through every difficulty,—would surmount every thing which might appear inauspicious in its situation,—would turn to the largest account the many important advantages which now opened themselves,—and finally lay the basis for securing, for times to come, the internal happiness and external power,—to the enjoyment of which, this country in every view is so justly entitled.—His lordship concluded by moving an address to his majesty, in the usual terms.

The Earl of *Mayo* seconded the Address, in a short speech, which was inaudible below the bar. His lordship expressed his great satisfaction, connected as he was with Ireland, at the manner in which that country had been noticed; and bore testimony to the good which had resulted from all that had been done of late in her behalf.

Earl *Stanhope* said:—My lords; I am aware, that on occasions like the present, unanimity is generally thought to be desirable; but there are circumstances in which all such considerations must give way, and in which it is consistent neither with your dignity nor your duty, that your Address should be nothing more than a servile echo of the Speech. If ever those circumstances existed, it is at the present moment, when the distress which afflicts the nation is universal and unexampled; when the necessity of administering relief is most urgent, and when that relief cannot be delayed without danger, nay, without destruction to the country. This is the third session of parliament which has been opened by a speech from the throne, acknowledging and lamenting the existence of distress; and this is also the third session in which you have been invited by the mover of the address, to express in your answer nothing more than general and unavailing regret. The address which has been moved gives no pledge for an inquiry, and no expectation of relief, and it is upon this ground that I intend to propose to your lordships an amendment. If, according to the theory of the noble earl who is at the head of the Treasury, we have been cursed with too much plenty; if we have been afflicted with too much abundance; perhaps the only remedy that could be found under such an unusual, nay, such an unheard of calamity, would be, to adopt the recommendation which has been so kindly and liberally offered by some persons who are connected with administration, and which has, I am sorry to say, been repeated in other quarters, and to discontinue the cultivation of those lands which are of inferior quality. I have no doubt that such advice would be very thankfully received in the county of Norfolk, and in several others which consist exclusively of land of that description. The inhabitants of those extensive and populous districts would learn with great satisfaction, that they would in future be relieved from the labour of cultivating the land, and would continue during the remainder of their lives, to be pensioners upon the poor-rates. Really, my lords, without intending to pay any compliment to that noble earl, I must, however, say, that I think too favourably of his understanding to suppose that he is serious in maintaining such a doctrine; and I am ready to believe, notwithstanding the gravity with which he generally delivers his opinions, that he meant nothing more than to make a sort of experiment on the credulity of your lordships, or what is vulgarly termed a "hoax." But if the noble earl is serious, I would ask, whether it is possible for the ingenuity of man to devise a severer satire upon his own administration? What! my lords, is such the state to which his course of policy has reduced this once happy and prosperous, but now miserable and mis-governed country? Is such the glory of his administration? Are such the achievements of which he can boast, that he has perverted even the course of nature itself, and converted into a calamity and a curse that bounty of Providence which formerly was hailed as a blessing? Can the noble earl state in what period of history, ancient or modern, any mention was made, or any hint was given, that abundance had been productive, I will not say of distress, but even of injury or inconvenience? That abundant harvests tend to lower prices, is indeed obvious; but, far from being the cause of distress, it was always found that the deficiency of the price was compensated, or more than compensated, by the increase of the consumption. If the noble earl will refer to the evidence before the agricultural committee, he will find that many witnesses denied the existence of such abundance as he has represented; and that they considered abundance to be beneficial to those who cultivate, as it undoubtedly must be to those who consume. One of these witnesses, Mr. Iveson, who is a land agent, and a receiver of rents in many counties, says, very truly, "I cannot conceive abundance to be injurious to any body;" and such was the opinion entertained by all mankind till these new fangled doctrines were first promulgated. Does the noble earl suppose that any favourable seasons or abundant harvests could, by possibility, have had the effect of lowering the price of corn fifty per cent in three years? Even if such could have been the case, would it also have lowered, in the same proportion, the price of cattle and of other agricultural produce? The argument does not, however, stop here; for, on referring to a document which comes from the town of which the noble earl bears the name, and is entitled "The Liverpool Price Currents," it is found, that in the same period of three years, several articles of commerce have fallen in price above 35 per cent. For example: on the four sorts of cotton which are there enumerated, the average depression of price has been above 41 per cent; on four sorts of silk, above 37 per cent; while sugar has fallen 31 per cent, and rum 50 per cent. Your lordships see, that while the prices of agricultural produce have fallen 50 per cent, the prices of several articles of commerce have fallen above 35 per cent; and a similar depression is represented to have taken place in articles of manufacture. What, therefore, is the cause that all those articles have so much fallen in price, some of them being the produce and some the manufactures of this country, and some being imported from abroad? It cannot be contended, that all those articles have been produced at a smaller cost, or that upon all those articles there has been either an increased supply, or a diminished consumption; and, as the fall of prices does not proceed from those causes, it is, I maintain, a conclusive logical argument, that it must proceed from the only remaining cause; that is, from an alteration in the value of the money in which those articles are bought and sold. That such is and must be the case is proved also by the utter futility of all the other causes which have been alleged. Of one of those causes, that is, of excessive production, I have already spoken; and I need say nothing about another of those causes, that is, of excessive importation, because the noble earl has avowed his conviction, that it was not the cause of the present distress. As for another of those causes, I mean the transition from war to peace, it seems to be forgotten, that peace was not recently concluded; that we have been for above seven years in the enjoyment of that blessing, and that this country did, in the year 1818, exhibit symptoms of reviving prosperity, not indeed of such prosperity as existed in the year 1792, but of such a degree of prosperity as could have been experienced after a war of such extraordinary duration and of such excessive expense. That the present unexampled distress is the effect of the alteration of the currency, may be proved by the same clear and demonstrative evidence as a mathematical proposition; and your lordships will perceive, by the facts which are stated in the admirable pamphlet that has been recently published by Mr. Western, that while agricultural produce has fallen in price 50 per cent, and articles of commerce and manufactures above 35 per cent, there has been, upon the average of all of them, a depression of above 40 per cent. This shows to what amount the currency was depreciated in 1819; but I am ready to argue the question upon the assumption, which however I do not admit, that no depreciation existed, and I should arrive exactly at the same conclusion. It was represented in some quarters, when the bullion question was first considered by a committee, that bank notes were not depreciated, but that gold had risen in value in consequence of an extraordinary demand; and it is stated by Mr. Jacob, who was examined before the agricultural committee, that the supply of gold from the Spanish mines was, during the ten years which elapsed from 1811 to 1821, only one-third of what it had been in the ten years preceding. But if no depreciation of paper had existed, it is, however, equally true, that the contraction of the currency, which was requisite to render it convertible into gold, has been the cause of that most extraordinary fall of prices which we now witness. It was, I know, said by one of the witnesses before the Secret Committee, by Mr. Ricardo, that the depreciation of the currency was only four and a half per cent, and that the fall of prices would not exceed five per cent, and he endeavoured to prove the proposition, by comparing the mint price of gold with that which he called the market price of that period. The argument was most fallacious, and has been falsified by the event. Your lordships will recollect, that in 1819, there was no demand whatever for gold, neither for foreign subsidies nor for the supply of armies on the continent, both of which had required enormous remittances during the late war; and that there was no demand for it in foreign trade, as the exchanges were generally, and almost constantly in favour of this country; and there was, in fact, very little, if any, demand for it, except by jewellers and goldsmiths. In considering the market price of gold as compared with the mint price, the question is not, what is the price which is paid for that inconsiderable quantity which is required by an insignificant demand, but what is the price which would be paid for an indefinite quantity, and for such a demand as the coinage would occasion? Upon this point, I have very recently conversed with a Bank director, of whom I asked this question:—"Supposing that government had inquired of the Bank of England, in 1819, at what price it would have agreed to furnish any quantity of gold that might have been wanted; would you, the Bank Directors, have named 4*l.* 2*s.* per ounce, which was then said to be the market price?" His answer was, "Undoubtedly we should have named a much higher price." Upon the erroneous principle of Mr. Ricardo, that measure was adopted which is known by the name of Mr. Peel's Bill, and for which no petition was presented from any part of the population. Some reasons have since been discovered for the measure, which were not stated at the time, and which appear to be after thoughts. It is now represented, that the measure was adopted for the relief of the suffering manufacturers. No person felt more sincerely than myself for the distress under which the manufacturers then laboured; and with a view of procuring for them relief, I submitted to this House a motion for the appointment of a committee to consider the means of providing them with employment. Your lordships know that it was the want of employment, and not the dearness of provisions, which was then the cause of their distress; but when, as might naturally be expected, they became discontented, and were clamorous in their complaints, parliament passed six acts of coercion and restraint. I have the happiness and honour of never having voted for those acts, one of which abridged in a manner which I most strongly reprobate, the ancient, constitutional, and invaluable right of holding popular assemblies. I deny that the distress of the manufacturers at that period proceeded from a high price of provisions; and I deny that the object of Mr. Peel's bill was stated to be that of lowering their price. I deny also that any practical relief could have been experienced, if the prices of provisions had been reduced only five per cent, according to the expectation which some persons then entertained; that is, if the price of a quartern loaf, for example, had been reduced from tenpence to ninepence halfpenny. If it had been stated, that the object of Mr. Peel's bill was to lower the price of provisions 50 per cent, as we have found to be the case, I do not believe that it would have received such support as would have enabled it to pass into a law. The reasons which were then alleged for it, were the importance of establishing what was called a "wholesome currency;" of reverting to the "ancient standard;" and the other general arguments which we remember to have heard. Although the measure was pregnant with the most portentous consequences, and has been productive of the most calamitous effects, the inquiry seemed to have been conducted without a due consideration of that which was the essence of the question, of its operation upon the internal condition of the country. The principle of that measure, the object which it had in view, and the effect which it was intended to produce, were to diminish the quantity of the circulating medium, and thereby to increase its value. Such being the case, it followed as a necessary inference, that in justice to all parties, the amount of payments ought to have been diminished, in the same proportion as the value of the currency had been increased. It has been found that heavy payments are, in private transactions, incompatible with low prices; and it will, I believe, be found by government, that such prices are equally incompatible with high taxes. I am represented to have said that low prices were advantageous only to Jews and jobbers. Heaven forbid that I should ever have entertained or expressed such a preposterous doctrine! I said no such thing; I said that Jews and jobbers alone were prosperous at the present moment, and that the assertion of the country being in a state of general prosperity, was an unparalleled absurdity, which was worthy only of the Jews and jobbers from whom it proceeded. Far from wishing for high prices, I wish that prices should continue to be low; but I wish also that taxes and all other payments should be proportionably low. Whence does it arise that low prices are ruinous and destructive now, when they were accompanied with great and general prosperity thirty years ago; or in the still more auspicious period of a century ago? No other reason can be assigned than the difference which exists in the amount of taxation, and in the private contracts that were formed in a depreciated, or at least in a very different currency. The landlords have been falsely represented as wishing for high rents, though they would gladly agree to be restored to the moderate rents which they received in 1792, provided that they could be replaced in the same situation with regard to the taxes and other payments, to which they were then subject. In some cases, no rent whatever is now received from land; and in other cases, the monstrous spectacle has been exhibited, of rent being paid by the landlord to the tenant. I am informed, by authority on which I can rely, that cases are known in Essex, where landlords have paid half-a-crown per acre to the tenants to induce them to continue the cultivation of the soil. This is an undeniable proof, that in some cases the whole produce of the land, after paying the expenses of cultivation, is consumed by taxation; and I consider as taxes, the poor-rates and other local assessments, which fall exclusively and most unjustly on the agricultural interest.—If we contemplate the effects which the change of currency has produced upon taxation, we find that the public annuitants now receive twice as much in the produce of the earth as they did in 1819, and nearly twice as much as they then did in other commodities. Is not this to be considered as a most nefarious fraud that has been practised on the nation, and as an act of public robbery? We hear much about public faith, but it did not, and could not pledge the nation to pay the public creditors twice as much as they ought to receive, and as they did receive three years ago. The reduction of the dividends, which is imperiously required by the safety of the country, is strictly conformable to justice, in consequence of the alteration of the currency in which they are paid. I wish that the question between the nation and its creditors could be argued as one between two private individuals, before my noble and learned friend upon the woolsack, whom I venerate as a most wise and learned, as well as a most honest and upright magistrate. His virtues and talents render him an ornament to this House and to the country, and even to the age in which we live. Though he is inclined, from those conscientious feelings, which are so honourable to him, to pause and hesitate and doubt, I am convinced that upon such a question, he would have no hesitation or doubt whatever, and that he would decide upon the principles of equity, that if you increase by a legislative measure the value of the currency, you ought in the same proportion to diminish the amount of the payments, whether they are public or private. If ministers will not, however, diminish, and to a very considerable extent, the amount of taxes, it is to be expected that the taxes will reduce themselves; for the period may not be far distant, when the noble earl at the head of the Treasury, may be obliged to provide warehouses and magazines to lodge the corn and cattle, and implements of husbandry, which he may wrest by distress from an impoverished or ruined tenantry. It is my firm conviction, that if the present system should be long continued, a national bankruptcy may be anticipated, and I would entreat your lordships to cast your eyes upon that abyss of ruin which is now opening beneath your feet. From that ruin you have no retreat, but by one or the other of these two alternatives; that of extending the circulation, or of reducing taxes and other payments, in the same proportion as the value of the currency has been increased. If we consider the effect which the change of the currency has produced upon private contracts, we must recollect, that those contracts were formed during nearly a quarter of a century, in a currency of a very different value and description, and upon the declaration which I find recorded on the Journals of the House of Commons, that a pound note and a shilling were equivalent in public estimation to a guinea, although it was known that guineas were sold for twenty-eight shillings each. The alteration of the currency has had the operation in private contracts, of conferring upon one party an advantage which he is not entitled to receive, while it imposes upon the other a burden which he did not stipulate to bear. The effect has, in some cases, amounted to nothing less than a total confiscation of the property, and many instances might be adduced of the most melancholy and afflicting nature, of individuals who have been ruined by the operation of this measure. This indeed has been said to be only a "transfer of property." The complaint, however, is in some cases, not that there is a "transfer," but a destruction of property; and the land which is wholly unprofitable, and yields no rent, will not become of greater value by being transferred to some monied man, who may purchase it on speculation, or as an investment, which though it is not at present lucrative, may be ultimately secure. What is a highway robbery but a forcible transfer of property? And of what nature are the transfers to which I allude? I am filled with horror and indignation, when I hear called by the mild and gentle phrase of a "transfer of property," an act of gigantic injustice, and the most systematic spoliation which ever yet disgraced a government or desolated a country. It has been described as a general confiscation of the property of debtors for the profit of their creditors. And here I must beg to submit to your lordships a question which is most interesting and most important, and which deserves your most serious consideration. I know that parliament is invested with great and extensive powers, which it holds for the benefit of the people, from whom they were originally derived, and which it ought to exercise only for the furtherance of that object. I would ask, whether any parliament, however constituted, even with that perfect system of representation which does not now exist, can have the right to plunder one portion of the community for the profit of the other? If it has not that right, and if it should assume and exercise a power which does not lawfully belong to it, I would then ask your lordships, what are the rights which in such a case would belong to an oppressed and injured people? To prevent such injustice, to avert those calamities, which, if continued, may terminate in convulsion, this House has the remedy in its own hands. Let it act upon true constitutional principles, and according to the practices of ancient times, in refusing any supplies until those grievances are redressed, which are now become intolerable, and which would have appeared incredible to our ancestors, as they will, I trust, appear also to our descendants. The argument in favour of parliamentary reform, has become unanswerable, and may prove to be irresistible. To parliamentary reform, if conducted upon proper principles, I am a zealous friend, but the mode of executing that object is of not less importance than the object itself; and while, on the one hand, I deprecate those inept and inefficient plans of reform which seem to have in view only the abolition of close boroughs, I should, on the other hand, condemn still more strongly that mischievous project of universal suffrage, which would give the whole weight to numbers, and would deprive property of its just and salutary influence, and even of its necessary protection. But, my lords, if the grievances which we now suffer should not be redressed, a convulsion may ensue, which may render it impracticable to effect a reform of parliament with due deliberation. What, if a hurricane should arise which might shake the empire to its basis, and endanger all the existing establishments both in church and state, a reform of parliament might arrive too late. The constant object of my zealous, but, alas! ineffectual exertions, has been to secure the public tranquillity, to promote, and, as far as possible, to perpetuate the public prosperity. If I were so selfish, which happily I am not, as to wish that the separate interests of any class of the community should be pursued at the expense of the others, I would intreat ministers to persevere in the course which they have adopted, to shut their eyes and ears to the complaints of the people, and to continue the present currency, and all the taxes and payments which now exist; for I am thoroughly convinced, that the result would be to grant to the agricultural interests, a relief such as they never asked, such even as they never desired, by the total annihilation and extinction of the national debt. We should not then hear of an "equitable adjustment" of the debt, and I approve of that phrase, but the consequences might be, that no vestige of it would remain. Such may be the consequence if the evil is allowed to take its own course, and to work its own cure. It has been truly observed by a noble earl, whose absence I deeply regret, that "your lordships possess every quality which can command respect, and which ought to secure independence." In this great crisis of our fate, a dereliction of your duty would not be forgotten or forgiven by the people. You will immediately institute an inquiry into the cause and into the cure of the present grievances, unless you are disposed to carry bankruptcy and beggary into every parish, and to extend throughout the empire, distress, discontent, despair, and even disaffection. You will support the motion which I shall propose, if you are not willing to be driven from the mansions of your ancestors, where you have lived in splendor, diffusing comfort and happiness around you; and if you are not prepared to become an assembly of noble and titled paupers, whose poverty and degradation would be the more galling as contrasted with the wealth which you have enjoyed, and would be the more conspicuous as combined with the rank which you will still continue to possess. I call upon you by the duty which you owe to your country, by every tie the most sacred, and by every consideration the most solemn, to institute an immediate inquiry. Such is the object of the proposed amendment; and I feel so strongly the vital importance of the subject, that I am determined to take the sense of the House. I know not with how many nor with how few I may divide, but I should not be ashamed or afraid to divide alone. Unconnected as I am with any party, the observations which I have made may have no other weight than that which they may receive from the integrity of my principles, from the independence of my conduct, and from my ardent zeal to promote the happiness and welfare and prosperity of my country.—I move, that the following words be inserted before the last paragraph of the Address: "That this House views with the deepest regret and anxiety the severe and unexampled distress which now afflicts the country, and will immediately proceed to examine its nature and its causes, the results that have arisen from altering the value of the currency, and the means of administering speedy and effectual relief."

The Marquis of *Lansdown* trusted, that his noble friend would not imagine that he intended any thing like disrespect to him, or that he felt any indifference for the important topics of his speech, when he said, that having, for reasons which he would presently state, brought his mind to the conclusion, after a patient consideration of his majesty's Speech, that it was desirable that their lordships should adopt the Address which had been proposed with unanimity, he meant to abstain from entering into a protracted discussion upon any of the various matters to which his noble friend had very regularly and very naturally adverted, and many of which must, at a future period, become the subjects of grave consideration. It was certainly impossible to describe the distresses of the country in too strong colours. Their magnitude and importance must be felt and acknowledged by their lordships; and he was certain that no man could have a deeper sense of them than himself. He believed that the unabated pressure which continued to weigh upon the most important interest of the country, even tended to destroy the frame of society; yet, with this impression, and with these feelings, he felt it his duty to declare, that there was a crisis at present impending on the continent, which ought to fix their lordships' attention almost to the exclusion of every other subject, and which would justify them in referring to a future day the consideration of those topics which had been alluded to by his noble friend, however important they were in themselves. It was hardly possible that any one of their lordships could fail to perceive, that transactions had recently taken place on the continent, out of which a crisis had arisen, which must come home to the interests of every free country of Europe—he had almost said the interests of every individual inhabitant of Europe. It must particularly affect the most important interests of this country. He was of opinion that this country, although anxious for the preservation of tranquillity, would soon be placed in a situation in which, unless it was prepared to abandon the whole course of policy which it had pursued for centuries, and to discharge itself from the obligations arising out of existing compacts to which it was bound either by treaty or policy, would be compelled to depart from a pacific system, in vindication of that place which it ought to maintain in the scale of European society, and in support of the national independence of those countries with which we were connected. Under these circumstances, he was not disposed to offer any opposition to the address which had been proposed for their lordships' adoption, though he wished that it had been couched in stronger terms. He wished that, both in the Speech from the throne, and in the address which was proposed to his majesty, there had been a stronger and more explicit declaration of the sense which this country entertained of those principles which had unfortunately found their way into the councils of some of the great powers of Europe; and which, if acted upon to the extent to which they might be carried, would not fail to involve Europe in confusion, and to rouse the worst and most dangerous passions of human nature. Those principles had now, for the second time, been promulgated, in a manner which left no room for doubt as to their tendency. It would be vain and useless for ministers to attempt to conceal, even if they were so disposed, the character and extent of such principles, and the crisis which their promulgation had induced. Far from thinking it an object of expediency to palter with the sense of parliament and the country, he was of opinion, that his majesty's ministers would act wisely and judiciously, to unite with the legislature and the people in expressing their indignation, rather than their disapprobation, of the system which was founded upon the principles to which he had adverted, if there was any chance of averting the calamities which must grow out of it. Whether or not government would declare its opinion of the conduct of the continental powers as he thought it should do—and he was willing to believe that, in some degree, it already had done so—he was sure that public feeling would find vent through some channels, and that every part of the country would be eager to proclaim to the world the opinion which it entertained, and the sense which it cherished, of the rights of nations and the important interests which England had in maintaining them. The people of England had often been told that they had been the means of restoring and establishing in safety certain continental governments, and that of France was among the number. The price at which that safety and restoration had been purchased would long be remembered by this country. Our sufferings under the burdens which were the consequence of our exertions in favour of the present government of France, were embittered by the painful reflection, that it was the existence of those very burdens which compelled us to hesitate, as to whether we could or not venture to act, at the present moment, as our interests and character as a nation demanded. It must be mortifying to ministers and to the country to find, that notwithstanding the many monitory counsels which appeared to have been administered by the British government to the great foreign powers, those powers, totally unmindful of the debt of gratitude which they owed to this country, and of the part which she ought to take in asserting the independence of nations, were prepared blindly to rush upon an enterprise, which England had declared to be dangerous to the welfare of Europe, and in opposition to that system which had been agreed upon at, what a noble lord had that evening called, the pacification of Vienna. After what was generally known of the conduct of the English government, it was unnecessary for him to argue the unprincipled character of the invasion of an independent nation, which had been pointed at in the manifesto of the congress of Verona, and had lately been spoken of in a more undisguised manner in the speech of his most Christian majesty the king of France. Neither in that, nor in the other House of parliament, could there be found a man so base and so bold as to entertain and avow, a feeling of approbation for the system by which it was proposed to regulate the great concerns of Europe. On the ground on which he stood, therefore, he felt that he was without an opponent. In the speech of the noble mover of the Address, he could not find the slightest approximation to an approbation of the unprincipled system of the continental powers. On the contrary, he could perceive, that if that noble lord had not found himself cramped by the peculiar situation in which he stood, and the task which he had undertaken, he would not have failed to speak of that system in more emphatic terms. Such being the case, it was unnecessary to argue the sense in which the conduct of the allied powers was viewed in this country; and it was equally unnecessary to argue the merits of that government, the existence of which was now threatened. Whatever were the merits or the demerits of the Spanish constitution, was a question into which he would not enter. He entertained speculative opinions upon that subject, as any other man might do; but he felt that distrust which every person ought to be conscious of, when his opinions were applied to the internal concerns of another country. But, supposing for a moment, that defects did exist in the Spanish constitution, the means by which they were least likely to be remedied was foreign interference. That alone would be sufficient to attach every patriotic Spaniard to the constitution of his country. Men of all parties would rally round it, and reserve for another time the task of its amelioration, if it required any Without discussing the merits of the Spanish government, which formerly had been acknowledged by all the governments of Europe, although some of them now thought fit to make it the object of attack, he would endeavour to show the inevitable consequences that must follow from the system of the continental powers, if put into action. It should be remembered, that those sovereigns who were now conducting an attack upon the independent government of Spain, founding their aggression on the principle of putting down theories and experiments in governments, were themselves great theorists and experimentalists. Would it not be supposed, from the language of the continental state papers and manifestoes, that the system of interference in the internal concerns of other governments had been regularly attended with the happiest effects, and that the best institutions and governments were those which had grown out of such interference? But it would be found in every part of the history of the world, that the greatest instances of human perfidy had been brought into action, for the purpose of supporting governments founded on foreign interference. Let them look at the effects of such interference in modern times; let them consider the state of Naples, Piedmont, and of Poland; and then he would ask, whether the Spaniards, with the example of those unfortunate countries, and the experience of all history, before their eyes, were likely to accept that species of happiness, and that degree of liberty, from the hand of a foreign master? He would request their lordships to bear in mind the part which England took in a former invasion of Spain, and then consider what line of conduct it might be necessary for her to adopt upon a similar occasion. The projected invasion of Spain might be successful. If so, by what means could the government of a despotic king be maintained in that country, except by its military occupation by France? In that case, what would be the situation of our own country, and particularly of Ireland, with every province of Spain occupied by foreign troops, ready to be directed against our maritime interests and domestic peace? He need not, he apprehended, say any thing more on this point. There was, however, another view of the question, not less important. In the event of complete success attending was at that time asked, in respect of recent transactions in Spain, his majesty's government had most explicitly given their opinion, and in a manner with which the noble baron who had asked the question expressed himself perfectly satisfied. His majesty's government, he had no hesitation in declaring, viewed the question of Spain as one clearly and purely Spanish. It was not mixed up with any other. The question of her constitution was, for this purpose, not mixed up with any other consideration about the country. The constitution had been actually adopted by Spain during a war that raged in that country, and it had been acknowledged by Great Britain. If that constitution was defective, or required correction (as possibly, looking to the circumstances under which it was originated, it might have done), correction was in the power of her lawful and recognized sovereign, when he himself accepted it. Correction, accordingly, correction, but not abrogation, was advised: and he might at the time have objected to it. Had the sovereign then corrected it, the country would have thanked him for the modification—the people would have received it with applause. It was therefore that he (lord L.) did say, that Spain having acted in the manner he had mentioned, whatever right of interference there might, under other circumstances, exist as to other countries, nobody could honestly apply it to the case of Spain. But the question did not rest here. The conduct of Spain was most important in another point of view—in regard to the danger which had in some quarters been apprehended, from the extension of those principles that had been acted upon within her own dominions, to other existing governments; and this conduct showed that they who resisted foreign interference with their own institutions, were by no means endeavouring to effect the same changes in those of other countries: for not only did they not wish to do so, but they had expressly offered a disclaimer to this effect. He could not but think that, over and above all the considerations that must weigh with those who were to sit in judgment upon the affairs of Spain, there was one that, in the discussion of such a question as this, must always carry with it the greatest weight and influence; for, (although he certainly conceived that the case of Spain was to be looked at, and dealt with differently from that of another country which was some time since the subject of much discussion), he must concur with the noble lord in thinking, that whatever objections might be offered to, and whatever defects might (and doubtless did) exist in a constitution of this nature, yet there had been, and he sincerely trusted there would be, throughout the career of those who had the conduct of affairs in Spain, a less taint of blood, of crime, and of violence, than was afforded by almost every other example of a similar revolution that had occurred in modern history. Such being the views that were entertained by his majesty's ministers, he thought there could be no doubt in the mind of any noble lord, as to the justice by which the policy of Great Britain would be guided on this occasion. But their lordships must observe, not only the justice, but the expediency of that policy, as the noble marquis had observed, in insisting upon the question of expediency. That was a question arising out of the danger that might accrue to all Europe, from an attempt to overthrow the Spanish constitution by force of arms. What was the wisdom of this country at the present moment? What should it continue to be? It would be our wisdom to confine ourselves within a position where we might be careful and vigilant observers of every operation—a position in which, without in any degree shrinking from the avowal of those great principles of conduct upon which we had always acted in great emergencies, we might be enabled, upon the approach of danger, to arrest the evil and to prevent it from extending to this kingdom. Having offered these remarks, he, for one, should have thought that the use of stronger language than was called for, either by the occasion, or by any necessity that had been shown, would have been, whether in the Speech from the throne, or the proposed Address, most improper, and most unwise. To have gone farther, indeed, upon this subject, was hardly within the power of his majesty's ministers; for he would even now say, notwithstanding all the threatening facts which had become matter of public notoriety, that war was not absolutely unavoidable. He would not say, indeed, that appearances were not strong; but he must hold, that whilst peace yet existed between the two countries, it would ill become either the power or the dignity of our own legislature, to use language that could only tend to prevent the attainment of that very end which they so much desired. The noble marquis had alluded to that paragraph of the Speech, in which his majesty had declared that he had employed his "good offices to allay the irritation unhappily subsisting between the French and Spanish governments." Now, he should be extremely sorry, if those words were to be supposed by any one to have reference to such an act as a forcible attack by France on the constitutional independence of Spain. But their lordships were aware, that there had long existed causes of "irritation" on both sides. There could be no doubt that, in consequence of the military operations on the frontiers, and of various other circumstances, a catalogue of little complaints might easily be drawn out by each country. He did not mean to deny, that it was very probable the stronger party might take hold of occurrences intrinsically insignificant, for the purpose of oppressing the weaker; all that he said was, that no doubt there were many causes of complaint on both sides. When, therefore, his majesty spoke of "allaying the irritation unhappily subsisting between the French and Spanish governments," the expression had evidently reference, not to the forcible entry of Spain by France, but merely to all those minor causes of complaint between the two governments, the existence of which might very easily be conceived by any one; and which the British government, in the character of a mediator, might not despair of being able to remove. He would trouble their lordships no further on the present occasion. He trusted he had spoken with sufficient explicitness on the question of the justice of the cause of Spain—He trusted he had spoken with sufficient explicitness on the question of the policy of the war with which Spain was threatened. On that latter point he probably felt more strongly than the noble marquis—he meant with reference to the probable effect of war—not on Spain only, but on France—not on France only, but on all Europe. For, much as he dreaded and deprecated war as affecting the interests of Spain, he had no hesitation in saying, that he dreaded and deprecated it still more as affecting the interests of France, and through France of all Europe. With respect to the conduct of this country in the possible situation in which it might be placed, every man must feel, that under our present circumstances, the policy of this country was neutrality. But, while he said this, he protested against being supposed for a moment to admit the idea—come from what quarter it might—that if unavoidable circumstances presented no alternative to this country but war or dishonour, it was not in a state to go to war. On the contrary, he was firmly convinced, that if parliament refused to adopt any measures calculated to sap the foundations of public credit, and if a war should appear to be necessary to the preservation of our honour, the country was in a state to meet it. Still, he readily allowed, that, after the extraordinary efforts which Great Britain had so recently made, and taking into consideration the present state of Europe, it was most desirable that if we could do so with regard to justice, with regard to our safety, with regard to our honour, with regard to our engagements with our allies, we should preserve our neutral position.—The present, however, was not the time for the consideration of that question. He had already asserted, and he would re-assert it, that whatever might be the existing probability of a rupture between France and Spain, he did not consider the door absolutely closed against negociation and amicable arrangement. Believing there was still a chance of accomplishing an amicable adjustment, he maintained, that as long as such a chance did exist, it was the interest and the duty of this country to hold such language as might not incapacitate it from furthering an object so generally desirable.

Lord *Ellenborough* declared, that he had heard the greater part of the noble earl's speech with much pleasure and satisfaction. But, acknowledging (as the noble earl had acknowledged), that Spain had given a disclaimer of the mischievous principles that had been imputed to her constitution and government, he was the more astonished that the noble earl could be satisfied with the mere repetition, in the Speech from the throne, of that cold and inadequate protest, which his majesty's ministers had entered in respect of the case of Naples. Yet more astonished he was, that the noble earl could be satisfied with the line of policy that he would have the country adopt, seeing he considered the door of reconciliaton to be still open. Looking to the former conduct of government, he could not think that the Speech from the throne really contemplated the preservation of peace on the continent. At such a time as the present, he was unwilling to indulge in any language, that might excite anger or ill-feeling. He could not help remarking, however, that the conduct of his majesty's ministers had, for a long time, been such as not to place it in unison with the feelings of the people of this country. He had long observed, that the people placed no confidence in them. He felt, indeed, more than this—he felt that, whatever might be the expressions which his majesty's government, with a view to their own interests, chose to put forth as the expressions of their zeal for the interests of these kingdoms, and however much they might apparently desire to induce the allied powers to accept them as their own opinions, on this and on other occasions—he could not but apprehend that to those allied powers it somehow did appear, that the opinions of our own government were not in reality very different from those of the deliberating sovereigns who assembled at Laybach and Verona. If his majesty's government were sincere in those feelings which the noble earl had described them as being actuated by, they conceived themselves, upon their own representation, to be bound by the feelings entertained by the people of this country. Yet if so, he was astonished, that at the first opening of the proceedings that were had in the congress of Verona—on the first manifestation of those feelings to which allusion was made in the Speech from the throne, ministers did not on the instant call parliament together, and obtain the sanction of their public opinion on matters of which the importance seemed to render such a step absolutely necessary. He could not but think that the simple repetition of a protest on this occasion, which was originally made two years ago in respect of dangers that had now passed away, could hardly have been deemed sufficient by those who repeated it. But if, notwithstanding the speech delivered by the king of France to the two chambers—if, notwithstanding the march of hostile armies into Spain, the door of reconciliation was yet indeed open, he could not suppose that the noble earl really imagined that the language of the Address was of such a nature as to quiet the fears that must be entertained for the result. Surely the noble earl knew, that during the whole course of the revolutionary war, it was from the expression, the strong expression, of public feeling, that every great project was agitated, and every great measure attended with success. But if noble lords really felt an anxious desire to save Spain from the dangers threatened by the invasion of France, the consideration of our dangers ought to induce us to carry forward our negociations in the manner and tone most likely to give them effect. The noble lord then adverted to that part of the marquis of Lansdown's speech, in which he had alluded to the relative situation of Portugal to Spain, in the event of Spain being attacked by France. What had been suggested by his noble friend on this subject could not have failed to impress their lordships with its importance. He also would now wish to ask, supposing that Russia, more zealous and more persevering in effecting the proposed interference than France herself, should ever obtain a station in the Mediterranean—Minorca, for example—were the Russians to be permitted to remain in the Mediterranean? Supposing that Spain, from the operation of unfortunate events, should find herself unable to prevent the French from possessing themselves of her territory left of the Ebro, was it meant that we were to prevent the blockade of the coasts of Spain by Russia? or was the supply of stores to the Spanish army to be interdicted to us? Feeling that the allies had, in fact, declared war against the principles of all governments, derived, either in their origin or in their constitution, from the people—feeling that the principles upon which they would now attack Spain, might, in their effect, apply to this country—feeling that the existence of the parliament of England was infinitely more dangerous to the despotic authority of the sovereigns of Verona than any thing which had been done in, or imputed to, Naples, Piedmont, or Spain—feeling that it was highly desirable for this country to maintain its ancient union with states governed, not by absolute monarchs, but by wholesome laws, and happy institutions—he protested that he looked to the event of success on the part of France with infinite dismay. Feeling, too, that in the threatened struggle so many cases might arise, in which, consistently with our honour and our interests, it would be impossible that we should not be involved, he did conceive that the noble earl might have done more than merely reiterate the protest of two years ago, adapted to the peculiar circumstances that were considered to render it necessary, and quite inapplicable to the present.

The Earl of *Darnley* declared his inability to concur in the amendment of his noble friend. What he now rose for was, to state that he had intended to call the earliest attention of parliament to the state of Ireland, with a view to mitigate the calamities with which that unhappy country was afflicted. The passage, however, in his majesty's Speech on the subject, induced him to postpone that intention.

Their lordships then divided on earl Stanhope's Amendment: Contents, 3; Not-Contents, 62. After which, the original Address was agreed to, *nem. dis.*

HOUSE OF COMMONS.

Tuesday, February 4.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.] The Speaker having reported the Speech of the Lords Commissioners, and read it to the House,

Mr. *Childe* rose to move an Address to his majesty. He said, he could safely declare, that it seldom fell to the lot of an individual to stand in a situation of greater embarrassment than he did at that moment—a situation which strongly called for that patience and favour, which he was taught to believe the House never denied to an individual addressing them for the first time. He rejoiced that the Speech of his majesty contained so frank and so satisfactory a declaration of those principles which admitted the right of self government on the part of other nations. He was sure that that admission would give satisfaction to all descriptions of his majesty's subjects. He was sure that it was, that it had been, and that it ever would be, the wish of this country to maintain the dignity and the honour of the crown; but, after the long hostilities in which it had been engaged, the House, he was persuaded, would feel with him, that it would be the height of impolicy to rush into a war, unless on a question mainly and deeply affecting the interests of the country. A war was to be avoided, on account of the fresh burthens it would necessarily impose, and on account of the injurious effect it would have on our improving commerce. All interference against Spain was to be avoided, on account of those principles of equity and of justice which should actuate one free nation in its conduct towards another: and here he could not forbear expressing his opinion, that the interference against Spain would be most disgraceful to this country, were she to become, in any degree, a party to it. It was not for him to enter into a discussion of the merits or demerits of the Spanish constitution. The Spaniards alone ought to determine that question; but he believed that there existed on the part of Spain a power to preserve that liberty and that honour, so necessary to its support. This spirit was, he hoped, sufficient, unless the pressure of external affairs should unfortunately lead to a military government. He wished not to be misunderstood upon this important point; for he did not mean to assert, that there might not exist a case in which one government might interfere with another: but that particular case ought to be founded on principles to which all would give their support, and when the very existence of the country was at stake. He confessed he saw nothing in the case of Spain, which would justify any such interference—nothing that would justify either France, Austria, or Russia, in interfering. Deeply impressed with these feelings, he could not but sincerely rejoice at the course which his majesty's government had adopted; and he hoped the efforts of his majesty would be effectual to prevent a war, which would have the effect of disturbing the peace of Europe.—He could not but sincerely congratulate the House upon that portion of his majesty's Speech which expressed his majesty's hopes, that peace would be preserved in the east of Europe; and he hoped that it might be restored by granting rational liberty to Greece. He was convinced the House would derive satisfaction from the prospect held out by his majesty, of preventing further depredations in the West Indian seas, and obtaining indemnity to British subjects. But it was still more satisfactory, that these just demands had been pressed upon the Spanish government in such a conciliatory tone and spirit, as to convince that government itself, that they had not been brought forward with any desire to add to its embarrassments. It was not less pleasing to hear, that further measures had been taken by our government, for the suppression of that nefarious traffic, the slave-trade. He regretted that doubts had been entertained by foreign governments of the sincerity of this country; but he hoped that the steps which had now been taken, for the more effectual suppression of that trade, would tend to the attainment of that object which this country had so much at heart.—He might also be permitted to congratulate the House upon the reduction in the estimates, and the satisfactory state of the revenue. The former circumstance was an evidence of the laudable attention of government to the wishes of the people; and the latter was a satisfactory proof of the prosperity of the country in the aggregate, and held out a strong hope of the continuance of this state of gradual amelioration, and of the further assistance to be afforded. Whether this assistance could be best obtained by one application of the surplus of the revenue, or by another, was a point which it would be premature in him to discuss; but it was most satisfactory to know, that a surplus to a considerable amount did actually exist; and the great question hereafter would be, in what manner that surplus could be best applied.—He next alluded to the distress under which the agriculturists had laboured, and still continued to labour. They had submitted with such patience and fortitude to these sufferings, that they were entitled to every degree of indulgence which could possibly be extended to them. When he called to mind the gloomy forebodings of many intelligent individuals, with regard to our commercial and agricultural interests, and contrasted them with the present admitted prosperity, he could not help doubting the propriety of the gloomy ideas so entertained, and was induced to believe that great hopes of amelioration might be entertained by every owner and occupier of land.—When he called to mind the reductions that were made in the last session, as well as those intended reductions of which they received an intimation that day, he saw reason to believe, that government were inclined, as far as it was in their power, to lighten the burthens of the people. The reduction of rents that had been so generally made, would of itself have given relief to the occupier, were it not for that great load of debt, which had been contracted in another currency. Notwithstanding the difficulties of their situation, he yet hoped for better times for the agriculturists. He looked forward to an equalization of the growth of produce, and of the consumption of the country, by which means the agriculturists would derive that fair profit, which every member, as well on private as on public grounds, would wish to see them receive.—The state of Ireland, to which the Speech of his majesty adverted, required the utmost attention from the government and parliament. No one who looked at the newspapers of the day, could fail to see the state of disorganization which existed in that country, or could help feeling for its sufferings. He had the utmost respect for the distinguished nobleman at the head of the government of that country, but he, unassisted by parliament, could do but little. He believed that it was the anxious wish of the ministers and of parliament, to ameliorate the condition of Ireland: he believed both were anxious to afford her every practical relief; and he had reason to think, that the present session would not be suffered to pass by without extending a gradual amelioration of her state to that interesting part of the empire, so that she might be truly incorporated with this country, and that an end might be put to those civil and religious feuds, which had been the great source of her misfortunes. He now hoped that he had fulfilled the duty imposed upon him; and that he had done so in no way unbecoming a gentleman generally attached to the principles of his majesty's government.—The hon. gentleman concluded by thanking the House for the indulgence which had been shown to him, and by moving,

"That an humble Address be presented to his majesty, to return to his majesty the thanks of this House for the gracious Speech which he has commanded to be made to us from the throne:

"To acknowledge with gratitude the unremitting efforts which his majesty has, since his majesty last met us in parliament, exerted for the preservation of the peace of Europe:

"To assure his majesty that we learn with the highest satisfaction that, faithful to the principles which his majesty has promulgated to the world, as constituting the rule of his conduct, his majesty declined being party to any proceedings at Verona, which could be deemed an interference in the internal concerns of Spain, on the part of foreign powers:

"To express our anxious hope, that the endeavours and good offices which his majesty has used, and continues to use, for the purpose of allaying the irritation which unhappily exists between the French and Spanish governments, may yet be successful, in averting the calamity of war between France and Spain:

"That we are gratified by the information that his majesty flatters himself that peace will be preserved in the east of Europe, and that his majesty continues to receive from his allies, and generally from other powers, assurances of their unaltered disposition to cultivate with his majesty those friendly relations which it is equally his majesty's object on his part to maintain:

"That we rejoice to hear that the discussions which had been long pending with the court of Madrid, respecting depredations committed upon the commerce of his majesty's subjects in the West Indian seas, and other grievances of which his majesty had been under the necessity of complaining, have terminated in an admission by the Spanish government of the justice of his majesty's complaints, and in an engagement for satisfactory reparation:

"That we return our humble thanks to his majesty for the assurance that his majesty, in pursuance of the addresses presented to him by the two Houses of Parliament with respect to the foreign slave trade, directed propositions for the more effectual suppression of the evil to be brought forward by his plenipotentiary in the conferences at Verona: and for the information that articles have been added to the treaties on this subject already concluded between his majesty and the governments of Spain and the Netherlands, which will extend the operation of those treaties, and greatly facilitate their execution:

"To thank his majesty for having directed the estimates of the current year to be laid before us; and to express the satisfaction with which we learn that their amount will be found materially below that of last year, and that this diminution of charge, combined with the progressive improvement of the revenue, has produced a surplus exceeding his majesty's expectation:

"To assure his majesty that we shall feel the utmost gratification in availing ourselves of the opportunity further considerably to reduce the burdens of the people, after making due provision for the services of the year, and without affecting public credit:

"To express our full participation in the impression made upon his majesty by the manifestations of loyalty and attachment to his person and government which his majesty received in his late visit to Scotland:

"That it gives us the greatest pleasure to learn that the provision made in the last session for the relief of the distresses in considerable districts in Ireland, has been productive of the happiest effects: and to assure his majesty that he may rely upon our willing and careful consideration of such measures of internal regulation as may be calculated to promote and secure the tranquillity of Ireland, and to improve the habits and condition of the people:

"That we concur with his majesty in deeply regretting the continued depression of the agricultural interest; and that, while we share the satisfaction with which his majesty contemplates the increasing activity which pervades the manufacturing districts, and the flourishing condition of our commerce in most of its principal branches, we trust, with his majesty, that the progressive prosperity of so many of the interests of the country cannot fail to contribute to the gradual improvement of that great interest which is the most important of them all."

Mr. *Wildman* rose to second the Address, and after alluding to his own embarrassed feelings, observed, that it was to him a matter of great consolation, that there were so many points in his majesty's Speech which afforded him an opportunity of congratulating honourable members upon the happy prospect of improvement held out to the country. He adverted to the course which his majesty's government had wisely thought fit to adopt in the councils at Verona, and felt convinced that every honourable member would agree with him, that it would have been highly derogatory from the dignity of this country to have interfered with the internal affairs of Spain. He sincerely hoped that the anxious endeavours of his majesty to avert the calamity of war between France and Spain would be successful. He entertained sanguine expectations, that in the east of Europe the mediation of his majesty would have a beneficial effect. He then shortly alluded to the steps which had been taken with the British government with regard to the depredations in the West Indian seas. He next called the attention of the House to the improving state of the revenue, and offered his sincere congratulations, that a surplus had been produced, exceeding the expectation of government. The system of economy which had been pursued in former years would, he doubted not, produce a similar improvement in the revenue accounts of the present year. Without in any degree injuring the public credit, every hope was held out that the burdens of the people would be considerably lessened, by a further reduction of taxation. He adverted to the provisions which had been made by parliament for the relief of Ireland, and expressed his great satisfaction that the prompt assistance so afforded had had a beneficial effect. He hoped that further measures would be adopted, which would have the effect of rendering the industry and energy of that country advantageous to themselves and to surrounding nations. With respect to the manufacturing and commercial interests, he might be allowed to congratulate the House upon their gradual state of improvement. From this smiling prospect of amelioration, he drew the happiest auguries; and, after having but lately been engaged in those long and arduous struggles which had conferred a lasting honour upon the British nation, it was a proud satisfaction to reflect, that this country had recovered from her difficulties, and was now in a most prosperous state. He then adverted to the propositions which had been brought forward by his majesty's plenipotentiary at Verona, for the more effectual suppression of the slave trade; and trusted, that the interference of this country would prove ultimately beneficial. This government had acted upon the best and wisest principles, and had gone so far as even to sacrifice her own colonies, rather than suffer other nations to carry on that nefarious traffic. Other nations had enjoyed the credit of having abolished the slave trade equally with this country; but he deeply regretted, that the declarations of some of the foreign powers had been merely nominal, and that they had carried on the trade with redoubled energy, and with a tenfold degree of cruelty. He hoped that ministers would continue to exert every effort to suppress this iniquitous traffic, and thus prevent the total destruction of the British colonies. In considering the distresses endured by the agricultural interests, he could not but sympathize with the regret so feelingly expressed by his majesty. He however trusted, that as the commercial interests of the country were in such an improving state, the agriculturists would derive benefit therefrom, and gradually recover their former prosperity. He thought that a good understanding between landlord and tenant would greatly tend to promote the desired object. He felt, too, that a portion of their sufferings might be alleviated, by adopting a different system of agriculture: he particularly alluded to the too general production of wheat by farmers. If other grain were brought to market in larger, and wheat in smaller quantities, the effect, he thought, would be extremely advantageous to the grower. If the tenants could be induced to return to those habits of economy with which their forefathers conducted their concerns, it would also tend to an alleviation of the burdens now weighing so heavily upon them. As connected with this important subject, a revision of the poor laws, he conceived, could not fail to be most beneficial. This was a question which called for the immediate consideration of the House, and he hoped that the session would not be allowed to be passed over, without a minute investigation of the subject. He concluded by seconding the Address.

Sir *Joseph Yorke* said, he was afraid he should be accused of great presumption in offering himself thus early to the notice of the House, after the two speeches which they had just heard; but though not called upon, he should still offer a few words, not to move or second, but to third the Address. He would not, however, detain the House by going over the general topics to which it referred. It was only upon that part of it which related to the foreign policy of the country, that he would raise his feeble voice. It was with real satisfaction that he found ministers following the good old feelings of the country, and not advocating an interference in the internal concerns of another state. He was glad to find that the instructions given to our ambassador at Verona were to be silent on the occasion when the other states raised their voices in support of an interference with Spain. By silence, he meant not acquiescence in, but opposition to, that interference. He thought this country was bound to show to France and the world, the absurdity, impolicy, and injustice of a declaration of war against Spain at the present moment. For his own part, he would say, that a more outrageous act of violence never was, and never could be committed, than the present meditated attack upon that brave nation. It should be recollected, that these Spaniards were the very men who placed the Bourbons on the throne—who seated Ferdinand himself at the head of the government; at a period when no power could have forced him against their will. And, was it against such men that the Bourbons of France were now going to war? He trusted the evil might be yet averted; for who could say, when blood was once shed, and when cannon were fired on this side of the Bidassoa—who could say, that this country could long remain neuter? Circumstanced as we were, it might indeed be wished that ours should be a neutral station; but with a commerce extending from pole to pole; with interests which must be more or less affected by every hostile movement between the powers of Europe, and particularly between those two powers he had named, he would ask any man, whose breast beat with honest feelings of independence, how, situated as we were, we could keep long out of such a war, if once commenced? It was for this reason, and because he was anxious to avert the evil if possible, by a strong declaration of the feelings of this country, that he would wish every member of that House to rise in his place, and state his opinion, as to whether France was right in her present course or not. He would wish even that every member was required to get up in alphabetical order, and state what were his sentiments on this occasion. His hon. friend, the mover of the Address, had expressed himself strongly and warmly against all interference, and had come to the House in full military attire, as if war had been already declared. It was not, however, and he trusted it would not; for he thought the best course which we could take was, if possible, to be strictly and honourably neuter.

Mr. *Brougham** rose, he said, in consequence of the appeal made to every member of the House by the gallant officer who had just sat down, to declare his sentiments. He answered to that appeal, which did credit to the honour, to the English feeling, of that gallant officer; and he joined with him, and with every man who deserved the name of Briton, in unqualified abhorrence and detestation of the audacious interference to which he had alluded; or, if that detestation was qualified, it could only be by contempt and disgust at the canting hypocrisy of the language in which the loathsome principles of the tyrants were promulgated to the world. He had risen to make this declaration, called upon as he was, in common with every member; but he should ill discharge his duty, if he did not mark his sense of the candour of the two hon. gentlemen who had moved and seconded the address, and express his satisfaction at what, in the House, however divided upon other points, would be almost, and in the country certainly would be quite, unanimously felt to be, the sound and liberal view which they had taken of this great affair. Indeed, he knew not, circumstanced as they were, that they could go farther; or even that his majesty's ministers, in the present state of this very delicate question, ought to have gone beyond the communication of to-day. That communication, coupled with the commentary of the honourable mover, would be the tidings of joy, and a signal for exultation to England—it would spread joy and exultation over Spain,—would be a source of comfort to all other free states,—but would bring confusion and dismay to the allies, who, with a pretended respect for, but a vile mockery, of religion and morality, made war upon liberty in the abstract, and endeavoured to crush national independence wherever it was to be found; and were now preparing, with their armed hordes, to carry their frightful projects into execution. That Spain would take comfort from the principles avowed in the House this evening, he was certain; and he was not less clear, that the handful of men at present surrounding the throne of our nearest and most interesting neighbour, (who, by the way, had, some how or other, been induced to swerve from the prudent counsels which had till of late guided his course) would feel astonished and dismayed with the proceedings of this day, in proportion as others would be encouraged. Cheering, however, as was the prevalence of such sentiments; highly as they raised the character of the nation; and much as might be augured from their effects, still he thought no man could deny, that the country was at present approaching to a crisis such as had not occurred perhaps for above a century, certainly not since the French revolution. Whether he viewed the internal condition of the kingdom, and the severe distress which pressed upon that most important and most useful branch of the community, the farmers; or cast his eyes upon our foreign relations, the circumstances of this country appeared, to the mind of every thinking man, critical and alarming. They might, it was true, soon wear a better aspect, and we might escape the calamities of war; but he must be a bold and possibly a rash man, certainly not a very thoughtful one, who could take upon him to foretell that we should have so happy a fortune. It was the deep consideration of these circumstances which induced him to come forward and make a declaration of his principles; and to state, that with a strict adherence to the most rigid economy in every department—the reduction of establishments which he was at all times, if not the first, at least amongst the foremost, to support, and which was so necessary, under the ordinary circumstances of the country, must now be recommended, with a certain modification, in order to adapt our policy to the present emergency. He was guilty of no inconsistency whatever, in thus qualifying the doctrine of unsparing retrenchment; indeed, the greater the chance of some extraordinary demands upon our resources, from the aspect of affairs abroad, the more imperious was the necessity of sparing every portion of expense not absolutely requisite. Economy to its utmost extent, he still recommended as politic, and urged as due to the people of right, and every useless expense was now to be regarded as more inexcusable than ever, both because the country was suffering more severely, and because it might become necessary to increase some parts of our establishment. He said he was certainly not prepared to propose, or to suffer, as far as his voice went, any the least reduction of our naval force, to the extent even of a single ship or seaman; on the contrary, he feared the time might not be far distant, when its increase would be required. Any such augmentation of the army, he could not conceive justifiable in almost any circumstances; for, happen what would, a war on our part, carried on with the wasteful and scandalous profusion of the last, and upon the same vast scale, or any thing like it, was wholly out of the question.—Mr. B. here entered at some length into the internal state of the country; the indications of distress at the various meetings; the inconsistency of the violent attacks made upon the Norfolk petition, by those who had passed the Gold Coin bill of 1811, which enacted the parts of the Norfolk plan most liable to objection—the inadequacy of any relief, to be obtained from repeal of taxes that only affected small districts,—the absolute necessity of repealing a large amount of the taxes pressing generally on all classes—and, for this purpose, urged the necessity of a saving wherever it could be effected with safety; and, at any rate, of giving up the sinking fund. He then proceeded:—He thought that if war was once commenced, we should soon be compelled to take some part in it, one way or other, and that for such an emergency, every shilling which could be saved by the most rigid economy, should be reserved. He thought our intervention in some shape would become unavoidable. We were bound, for instance, to assist one party, our old ally Portugal, if she should be attacked; and it was not likely that she could remain neuter, if the present hateful conspiracy against Spain ended in open hostility. It was in this view of the question that he differed from the gallant officer who last spoke; and he was glad that he could not collect from the honourable mover or seconder, the ominous words "strict neutrality," as applied to this country, in the threatened contest. A state of declared neutrality on our part would be nothing less than a practical admission of those principles which we all loudly condemned, and a licence to the commission of all the atrocities which we were unanimous in deprecating. He would say, therefore, that it was the duty of his majesty's ministers (with whom he should rejoice to co-operate on the occasion—and so, he was certain, would every one who then heard him, waving for a season all differences of opinion on lesser matters) to adopt and to announce the resolution, that when certain things shall take place on the continent, they will be ready to assist the Spaniards—a measure necessary to avert evils, which even those the least prone to war (of whom he avowed himself one) must admit to be inevitable, should a wavering or pusillanimous course be pursued. Our assistance would be necessary to resist the wicked enforcement of principles, contrary to the law of nations, and repugnant to every idea of national independence. To judge of the principles now shamelessly promulgated, let any man read patiently, if he could, the declarations in the notes of Russia, Prussia, and Austria; and, with all due respect to those high authorities, he would venture to say, that to produce any thing more preposterous, more absurd, more extravagant, better calculated to excite a mingled feeling of disgust and derision, would baffle any chancery or state-paper office in Europe. He should not drag the House through the whole nauseous details; he would only select a few passages by way of sample, from those notable productions of legitimacy. In the communication from the minister of his Prussian majesty, the constitution of 1812, restored in 1820, and now established, was described as a system which, "confounding all elements, and all power, and assuming only the single principle of a permanent and legal opposition against the government, necessarily destroyed that central and tutelary authority which constitutes the essence of the monarchical system." Thus far the king of Prussia, in terms, which, to say the least, afforded some proof of the writer's knowledge of the monarchical system, and of the contrast which, in his opinion, it bore to the present government of Spain. The emperor of Russia, in terms not less strong, called the constitutional government of the cortes, "laws which the public reason of Europe, enlightened by the experience of all ages, stamped with its disapprobation;" and complained of its wanting the "conservative principle of social order." Where, in the conservative character of keeper of the peace of Europe, did his imperial majesty discover that the constitution of Spain had been stamped with the disapprobation of the public reason of Europe? Let the House observe, that the "public reason of Europe, enlightened by the experience of all ages," happened to be that of his imperial majesty himself for the last ten years exactly, and no more; for, notwithstanding that he had the "experience of all ages" before his eyes, he did, in the year 1812, enter into a treaty with Spain, with the same cortes, the same constitution, not one iota of which had been changed, up to that very hour. In that treaty, his imperial majesty the emperor of all the Russias, speaking of the then government, did use the very word by which he and his allies would themselves be designated—the word, by the abuse of which they were known—he did call the Spanish government of the cortes "a legitimate government," that very government, of the constitution of which, the Spaniards had not changed one word; and God forbid they should change even a letter of it, while they had the bayonet of the foreign soldier at their breast! He hoped, if it had faults—and some faults it might have—that when the hour of undisturbed tranquillity arrived, the Spaniards themselves would correct them. If they would listen to the ardent wish of their best friends—of those who had marked their progress, and gloried in the strides they had made towards freedom and happiness, and would go to the world's end to serve them in their illustrious struggle—of those, above all, who would not have them yield an iota to force—it would be to disarm the reasonable objections of their friends, but not give up any thing to the menaces of their enemies.—He should not go more into detail at the present moment, for ample opportunities would occur of discussing this subject; but he would ask, in the name of common sense, could any thing be more absurd, more inconsistent, than that Spain should now be repudiated as illegitimate by those, some of whom had, in treaties with her, described her government, in its present shape, by the very term "legitimate government?" In the treaty of friendship and alliance, concluded in 1812 between the emperor of all the Russias and the Spanish cortes, Ferdinand being then a close prisoner in France, his imperial majesty, by the third article, acknowledged in express terms, the cortes "and the constitution sanctioned and decreed by it."—But not only was the conduct of the allies towards Spain inconsistent with the treaties of some among them with Spain,—he would show that their principle of interference, was wholly at variance with treaties recently made amongst themselves. He would prove, that one of the fundamental principles of a late treaty, was decidedly opposed to any discussion whatever amongst them, respecting the internal situation of that country. By the 4th article of the treaty of Aix-la-Chapelle, dated Nov. 1818, it was laid down, that a special congress might be held, from time to time, on the affairs of Europe:

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* From the original edition, printed for J. Ridgway.

or, to use the words, and borrowing the hypocritical cant of their predecessors, the three powers who basely partitioned Poland—who, while they despoiled a helpless nation of its independence, kept preaching about the quiet of Europe, the integrity of its states, and the morality and happiness of their people—who talked daily about their desire of calm repose, the atmosphere, he well knew, in which despotism loved to breathe, but which an ancient writer had eloquently painted, when he said, that they mistook for peace, the stillness of desolation—following the vile cant of their ancestors, the allies declared, at Aix-la-Chapelle, that their object was to secure the tranquillity of Europe—that their fundamental principle should be, never to depart from a strict adherence to the law of nations: "faithful to these principles," (continued this half-sermon, half-romance, and half-state paper) "they would only study the happiness of their people, the progress of the peaceful arts, and attend carefully to the interests of morality and religion, of late years, unhappily too much neglected"—Here, again, following the example of the autocratrix Catherine—the spoiler of Poland, who, having wasted and pillaged it, province after province, poured in hordes of her barbarians—which hewed their way to the capital through myriads of Poles, and there, for one whole day, from the rising of the sun to the going down thereof, butchered its unoffending inhabitants, unarmed men and women, and infants; and, not content with this work of undistinguishing slaughter, after the pause of the night had given time for cooling, rose on the morrow, renewed the carnage, and continued it throughout that day; and after this, ordered a *Te Deum* to be sung, to return thanks for her success over the enemies of Poland!—That mild and gentle sovereign, in the midst of these most horrible outrages upon every feeling of human nature, issued a proclamation, in which she assured the Poles, that she felt towards them, "the solicitude of a tender mother, whose heart is only filled with sentiments of kindness for all her children." Who could, or who dared, doubt, that she was all she so described herself; and who could, after the experience of the last year, dispute the legitimate descent of the allied powers, and the purity of their intentions towards Spain? But, along with this declaration of the object of future congresses, came the stipulation which he should like to see some German statist, some man versed in the manufactory of state-papers, compare with, and reconcile to, the notes fashioned at Verona, not unlikely by the very hands which had produced the treaty of Aix-la-Chapelle. The stipulation was this:—"Special congresses concerning the affairs of states not parties to this alliance, shall not take place, except" (and here he should like to know how Spain, which was no party to the alliance, had brought herself within the exception)—"except in consequence of a formal invitation from such states;" "and their ambassador shall assist at such congresses." How would any German statist reconcile these contradictions? Here the interference in the internal affairs of Spain was not only not "by special invitation" from, but was in downright opposition to, the will of Spain. Thus stood the conduct of those holy allies diametrically opposed to their own professions and engagements; and by such means was the attempt now made to crush the independence of a brave people!—But it was not in the case of Spain alone, that the consideration of these papers was important—they furnished grounds of rational fear to all independent governments; for he should be glad to learn, what case it was (upon the doctrines now advanced) to which this principle of interference might not be extended—on which the authority to comment, criticise, and dictate, might not be assumed? The House was not aware of the latitude to which the interference of those armed legislators might be, nay actually was, extended. The revolt of the colonies was distinctly stated as one ground of interposition. The allies kindly offered their "intervention," to restore this great branch of "the strength of Spain." There was no end of the occasions for interfering which they took. One was rather alarming—the accident of a sovereign having weak or bad ministers. Russia, forsooth, was anxious to see Ferdinand surrounded with "the most enlightened, most faithful of his subjects"—men "of tried integrity and superior talents"—men, in a word, who should be every way worthy of himself. So that, according to these wise men of Verona (and this was a consideration which should be looked to, in some other countries as well as Spain) the existence of an inefficient or unprincipled administration, would be of itself a just ground of interference. The principle did not stop here: "ruinous loans," formed another ground, and "contributions unceasingly renewed;" "taxes which, for year after year, exhausted the public treasures and the fortunes of individuals." All these were instances, in which the principle of interference might apply to other countries beside Spain; and he had no doubt that when the same doctrines were extended to certain countries, the preparatory manifesto would make mention of agricultural distress and the sinking fund. But to complete all the charges against Spain, the Russian emperor finished his invective with the awful assertion, that, on the 7th of July, "blood was seen to flow in the palace of the king, and a civil war raged throughout the peninsula." It was true, that a revolt had been excited in some of the provinces. But by whom? An ally. It was produced by those cordons of troops, which were posted on the Spanish frontier, armed with gold and with steel, and affording shelter and assistance by force, to those in whose minds disaffection had been excited by bribery. It was also true, that blood had been shed. But, would it not be supposed, by any person unacquainted with the fact, and who only read the statement in the manifesto, that this was blood shed in an attempt to dethrone Ferdinand, and introduce some new and unheard-of form of government? At any rate, did not this statement plainly intend it to be supposed, that the constitutional party had made the onset, and shed royalist, if not royal blood? But, what was the fact? A few persons were killed who had first attacked the constitutionalists, in other words, mutinied against the established government, the government which the emperor Alexander himself had recognized as legitimate in 1812; and this he had now the audacity to call the shedding of blood by Spaniards in the palace of the king! As well might he accuse the people, the parliament, and the crown of England, of causing "blood to flow in the palace of the king," for ordering their sentinels to fire on some person whom they might find attempting to assassinate the sovereign, as accuse the Spaniards of such a crime, for the events which happened in July 1822.—He should pass over many other heavy charges levelled at the Spaniards, in phrases of terrible import, as harbouring a "disorganized philosophy," "indulging in dreams of fallacious liberty," and the want of "venerable and sacred rights," with which the Prussian note was loaded to repletion: and should proceed to the Russian, which objected to the Spaniards their want of the "true conservative principle of social order;" or, in other words, of despotic power, in the hands of one man, for his own benefit, at the expense of all mankind besides; and to their not falling within the scope of those "grand truths," which, though they were ever in their mouths, were no where explained by any one of the three sovereigns. The Austrian note discoursed largely of "the solid and venerable claims" which the Spanish nation had upon the rest of Europe: prayed it to adopt a better form of government than it had at present; and called upon it to reject a system which was at once "powerful and paralized." It would be disgusting to enter at any length into papers, at once so despicable in their execution, and in their plan so abominably iniquitous. There was but one sentiment held regarding them out of the House; and his excuse for taking notice of them now, was his desire to call forth a similar expression of feeling from the House itself. Monstrous and insolent and utterly unbearable, as all of them were, he considered that of Russia to be more monstrous, more insolent, and more prodigiously beyond all endurance, than the rest. It was difficult to determine which most to admire—the marvellous incongruity of her language and conduct now, with her former most solemn treaties; or the incredible presumption of her standing forward to lead the aggression, upon the independence of all free and polished states. Gracious God! Russia!—a power that was only half civilized—that, with all her colossal mass of physical strength, was still quite as much Asiatic as European—whose principles of policy, foreign and domestic, were completely despotic, and whose practices were almost altogether oriental and barbarous! In all these precious documents, there was, with a mighty number of general remarks, mixed up a wondrous affectation of honest principles—a great many words covering ideas that were not altogether clear and intelligible; or, if they happened to be so, only placing their own deformity in a more hideous and detestable light: but, for argument, or any thing like it, there was none to be found from the beginning to the end of them.—They reasoned not, but spoke one plain language to Spain and to Europe, and this was its sum and substance: "We have hundreds of thousands of hired mercenaries, and we will not stoop to reason with those whom we would insult and enslave." He admired the equal frankness with which this haughty language had been met by the Spanish government: the papers which it had sent forth were plain and laconic; and bluntly spoke this language:—"We are millions of freemen, and will not stoop to reason with those who threaten to enslave us." They hurled back the menace upon the head from which it issued, little caring whether it came from Goth, or Hun, or Calmuck; with a frankness that outwitted the craft of the Bohemian, and a spirit that defied the ferocity of the Tartar. If they found leagued against them the tyrants by whom the world was infested, they might console themselves with this reflection, that wherever there was an Englishman, either of the old world or of the new—wherever there was a Frenchman, with the miserable exception of that little band which now, for a moment, swayed the destinies of France, in opposition to the wishes and interests of its gallant and liberal people—a people which, after enduring the miseries of the revolution, and wading through its long and bloody wars, were entitled, if ever any people were, to a long enjoyment of the blessings of peace and liberty—wherever there breathed an Englishman or a true born Frenchman—wherever there existed a free heart or a virtuous mind, there Spain had a natural ally, and an inalienable friend. For his own part, he could not but admire the mixture of firmness and forbearance which the government of Spain had exhibited. When the allied monarchs were pleased to adopt a system of interference with the internal policy of Spain—when they thought fit to deal in minute and paltry criticisms upon the whole course of its domestic administration—when each sentence in their manifestoes was a direct personal insult to the government, nay, to every individual Spaniard, and when the most glaring attempts were made, in all their state papers, to excite rebellion in the country, and to stir up one class of the community against the other, it would not have surprised him, if, in the replies of the Spanish government, some allusion had been made to the domestic policy of the allied sovereigns; or if some of the allegations which had been so lavishly cast upon it, had been scornfully retorted upon those who had so falsely and so insolently called them forth. What could have been more pardonable, nay, what more natural, than for the Spanish government to have besought his Prussian majesty, who was so extremely anxious for the welfare and good government of Spain—who had shown himself so minute a critic on its laws and institutions, and who seemed so well versed in its recent history—to remember the promises which he had made some years ago to his own people, by whose gallant exertions, on the faith of those promises, he had regained his lost crown? What would have been more natural than to have suggested, that it would be better, aye, and safer too in the end, to keep those promises, than to maintain, at his people's cost, and almost to their ruin, a prodigious army, only safely employed when in the act of ravaging the territories, or putting down the liberties, of his neighbours? The government of Spain would have had a right to make such representations; for his Prussian majesty owed much, very much, to its exertions: indeed, the gallant resistance which it made to the invasion of Buonaparté, had alone enabled Prussia to shake off the yoke; while, on the other hand, the Spaniards owed a debt of gratitude to the brave and honest people of Prussia, for beginning the resistance to Buonaparté in the north. Could any thing, he would also ask, have been more natural for the Spanish government, than to have asked the emperor of Austria, whether he, who now pretended to be so scrupulously fond of strict justice in Ferdinand's case, when it cost him nothing, or must prove a gain, had always acted with equal justice towards others, when he was himself concerned? Could any thing have been more natural, than to have suggested to him, that before he was generous to Ferdinand, he ought to be just to George;—that he ought to return to him the whole, or, at any rate, a considerable part of the twenty millions which he had borrowed of him?—a debt which, remaining unpaid, wasted the resources of a faithful ally of Spain, and tended mightily to cripple his exertions in her behalf? He wished likewise to know, what could have been more natural—nay, if the doctrine of interference in the internal concerns of neighbouring nations were at all admitted,—what could have been more rightful, in a free people, than to have asked him how it happened, that his dungeons were filled with all that was noble, and accomplished, and virtuous, and patriotic in the Milanese?—to have called on him to account for the innocent blood which he had shed in the north of Italy?—to have required at his hands satisfaction for the tortures inflicted in the vaults and caverns where the flower of his subjects were now languishing—to have demanded of him some explanation of that iron policy by which he has consigned fathers of families, the most virtuous and exalted in Europe, not to exile or death, but to a merciless imprisonment for ten, fifteen, and twenty years—nay, even for life, without a knowledge of the charge against them, or the crime for which they were punished? Even the emperor Alexander himself, tender and sensitive as he was at the sight of blood flowing within the precincts of a royal palace—a sight so monstrous, that, if his language could be credited, it had never before been seen in the history of the world—might have been reminded of passages in history, calculated to lessen his astonishment, at least, if not to soothe his feelings; for the emperor Alexander, if the annals of Russian story might be trusted, however pure in himself, and however happy in always having agents equally innocent, was nevertheless descended from an illustrious line of ancestors, who had, with exemplary uniformity, dethroned, imprisoned, and slaughtered, husbands, brothers, and children. Not that he could dream of imputing those enormities to the parents, or sisters, or consorts; but it did happen, that those exalted and near relations had never failed to reap the whole benefit of the atrocities, and had always failed to bring the perpetrators to justice. In these circumstances, if he had had the honour of being in the confidence of his majesty of all the Russias, he should have been the last person in the world to have counselled his imperial master to touch upon so tender a topic: he should humbly have besought him to think twice or thrice, nay, even a third, and a fourth time, before he ventured to allude to so delicate a subject: he should, with all proper deference, have requested him to meddle with any other topic: he should have directed him by preference to every other point of the compass; he should have implored him rather to try what he could say about Turkey, or Greece, or even Minorca, on which he had of late been casting many an amorous glance—in short, any thing, and every thing, before he approached the subject of "blood flowing within the precincts of a royal palace," and placed his allusion to it, like an artful rhetorician, upon the uppermost step of his climax. He found, likewise, in these self-same documents, a topic, for which the Spanish government, had it been so inclined, might have read to the holy alliance another severe lecture: he alluded to the glib manner in which the three potentates now talked of an individual, who, let his failings, or even his crimes be what they might, must always be regarded as a great and a resplendent character—who, because he was now no longer either upon a throne or at liberty, or even in life, was described by them, not merely as an ambitious ruler—not merely as an arbitrary tyrant, but as an upstart and an usurper. This was not the language which those potentates had formerly employed; nor was it the language which they were now entitled to use, regarding this astonishing individual. Whatever epithets England, for instance, or Spain, might have a right to apply to his conduct, their mouths at least were stopped: they could have no right to call him usurper—they who, in his usurpations, had been most greedy accomplices, or willing tools. What entitled the king of Prussia to hold such language now?—he who had followed his fortunes with the most shameless subserviency, after the thorough beating he received from him, when trampled upon and trodden down in the year 1806? No sooner had he risen again and recovered the upright attitude of man, than he fell upon his knees, and crouching before him who had made him crawl in the dust, kissed the blood-stained hand of Buonaparté for leave to keep his Britannic majesty's foreign dominions, the electorate of Hanover, which he had snatched hold of while at peace with England. So the emperor Alexander, after he had also undergone the like previous ceremony, did not disdain to lick up the crumbs which fell from the table of his more successful rival in usurpation. Little, it was true, was left by the edge of Buonaparté's appetite; but, rather than have nothing,—rather than desert the true Russian principle of getting something on every occasion, either in Europe, or in Asia, (and of late years they had even laid claim to an almost indefinite naval dominion in America)—rather than forego the Calmuck policy, of always adding something, be it ever so little, to what was already acquired, be it ever so great—he condescended to receive from the hand of Buonaparté a few square leagues of territory, with an additional population of some two or three thousand serfs. The object was trifling indeed, but it served to keep alive the principle. The tender heart of the father, overflowing, as his imperial grandmother had phrased it, with the milk of human kindness for all his children, could not be satisfied without receiving a further addition to their numbers; and therefore it was not surprising, that on the very next occasion, he should be ready to seize, in more effectual exemplification of the principle, a share of the booty, large in proportion as his former one had been small. The emperor of Austria, too, who had entered before the others into the race for plunder, and had continued in it till the very end—he who, if not an accomplice with the Jacobins of France in the spoliation of Venice, was at least a receiver of the stolen property—a felony, of which it had been well said at the time in the House, that the receiver was as bad as the thief—that magnanimous prince, who, after twenty years alternation of truckling and vapouring—now the feeble enemy of Buonaparté, now his willing accomplice—constantly punished for his resistance, by the discipline invariably applied to those mighty princes, in the tenderest places, their capitals, from which they were successively driven—as constantly after punishment joining the persecutor, like the rest of them, in attacking and plundering his allies—had finished, by craving the honour of giving Buonaparté his favourite daughter in marriage. Nay, after the genius of Buonaparté had fallen under the still more powerful restlessness of his ambition—when the star of his destiny had waned, and the fortune of the allies was triumphant, through the roused energies of their gallant people, the severity of the elements, his own turbulent passions, and that without which the storms of popular ferment, and Russian winters, and his own ambition, would have raged in vain, the aid of English arms, and skill, and gallantry—strange to tell, these very men were the first to imitate that policy against which they had inveighed and struggled, and to carry it further than the enemy in all its most detestable points. He maintained that it was so; for, not even by his bitterest slanderers had Buonaparté been ever accused of actions so atrocious as was the spoliation of Norway, the partition of Saxony, the transfer of Genoa, and the cession of Ragusa, perpetrated by those in whose mouths no sound had been heard for years, but that of lamentation over the attacks upon national independence. It was too much, after such deeds as these—it was too much, after the allies had submitted to a long course of crouching before Buonaparté, accompanied by every aggravation of disgrace—it was too much for them now to come forth and calumniate his memory, for transactions, in the benefits of which they had participated at the time as his accomplices, and the infamy of which they had since surpassed. He rejoiced that the Spaniards had only such men as these to contend with; he knew that there were fearful odds when battalions were arrayed against principles; but it was some consolation to reflect, that those embodied hosts were not aided by the merits of their chiefs, and that all the weight of character was happily on the contrary side. It gave him, however, some pain to find, that a monarch so enlightened as the king of France had shown himself on various occasions to be, should have yielded obedience, even for a time, to the arbitrary mandates of this tyrannical junto. He trusted, however, that it would only prove a temporary aberration, on his part, from the sounder principles on which he had hitherto acted. He trusted that the men who appeared to have acquired his confidence only to abuse it, would soon be dismissed from it; or, if not, that the voice of the country, whose interests they were ready to sacrifice, and whose rising liberties they seemed anxious to destroy, would compel them to pursue a more manly and more liberal policy. Indeed, the king of France had been persuaded, by the parasites by whom he was at present surrounded, to go even beyond the principles of the Holy Alliance. He had been persuaded to tell the world, that it was from the hands of a tyrant alone that a free people could hold a constitution. That accomplished prince—and all Europe acknowledged him to be at once a most finished gentleman and most able scholar—could not but be aware that all the wise and good men of former times differed with him in opinion upon this point; and if he (Mr. B.) reminded him of a sentence which he had found in a recently recovered work, of one whose eloquence was only to be surpassed by his wisdom, and whose skill as a statesman was only to be rivalled by his observation as a philosopher—if he reminded him of an opinion of Cicero, in direct variance with the doctrines which he had recently promulgated, it was in the sincere hope that he would consider it with all the attention that was due to such high authority. That great man had said, "Non in ulla civitate, nisi in quâ summa potestas populi est, ullum domicilium libertas habet." He recommended to his most catholic majesty to reflect, not only on the wisdom of so great a philosopher, but also on the experience of so great a statesman. He recommended him to consider, that he was one of the greatest statesmen of the old world—that, like himself, he lived in times of great danger and of great difficulty—that he had had to contend with the most formidable conspiracy to which the life and liberty of social man had ever been exposed—that, under such circumstances, he had recourse only to the Roman constitution—that he threw himself on the good will of his patriotic countrymen—that he only put forth the vigour of his own genius and the vigour of the law, and that he never thought of calling to his assistance the Allobroges, the Teutones, or the Scythians of his day, "and I now say," (continued Mr. Brougham), "that if the king of France calls either on the modern Teutones or the modern Scythians to assist him in this unholy war, judgment will that moment go forth against him and his family, and the dynasty of Gaul will be changed at once and for ever."—The hon. and learned gentleman then asked, what were the grounds on which the necessity of this war was defended? It was said to be undertaken, because an insurrection had broken out with success at Madrid. He denied this to be the fact. What was called an insurrection, was an attempt to restore the lawful constitution of the country—a constitution which had been its established constitution, till Ferdinand overthrew it, by means of a mutiny in the army; and therefore, when a similar mutiny enabled the friends of liberty to recover what they had lost, it was an error in language to call such recovery by the name of insurrection, and an abuse of terms, which could only be intended to hoodwink the reason or conciliate the prejudices of the honest part of mankind. Let the pretext, however, for the war be what it might, the real cause of it, it was not hard to conjecture. It was not from hatred to Spain or Portugal, considered simply as Spain and Portugal, that the allied sovereigns were for marching their hordes into the peninsula—it was not against freedom on the Ebro, or freedom on the Mincio, that they were making war: no, it was against freedom in the abstract—it was against freedom wherever it was to be found—it was against freedom by whatever men it was possessed—it was against freedom by whatever checks it was secured, and by whatever safeguards it was guaranteed. Freedom was the object of their most inveterate hate; and against freedom they were ready to employ every species both of fraud and of force. They dreaded its institutions—they abhorred its spirit. All the benefits which it has conferred upon mankind, all the monuments which have been raised in its honour, all the miracles which have been effected by its influence, they hated with the malignity of demons, for they were compelled to fear and tremble at the very sound of its name. It was on this account that, disguise it as they might, they could feel no real friendship for the people of this country. As long as England remained the country that she was at present; as long as parliament formed a free and open tribunal, to which the oppressed of all nations under heaven could appeal against their oppressors, however mighty and however exalted—and with all its abuses (and no man could lament them more feelingly than he did), and with all its imperfections, (and no man could be more anxious to remove and amend them, because no man wished more heartily to make it worthy of the love and admiration of the country), it was still too free to please the taste of the continental despots—so long would England be the object of their hatred and machinations, sometimes carried on in secret, sometimes carried on openly, but always carried on with the same unremitting vigour and activity. It was idle to suppose that these armed critics could be bounded in their views by any limits of time or of country. Could the House suppose, that if there were any portion of territory in the neighbourhood of the emperor Alexander which appeared peculiarly suited to his views, that he would not soon be able to discover some fault or flaw in its political institutions requiring his intervention—supposing it even to be a part of the Turkish government? Nay, if his imperial majesty were met, with his consistory of tyrants and armed critics, he believed that it would be in vain for the Ulemah, with all his tribe of learned muftis, to plead to him that their government was of the most sacred and venerable description—that it had antiquity in its favour—that it was in full possession of "the conservative principle of social order,"—that it was "replete with grand truths,"—that it had never listened to "the fatal doctrines of a disorganized philosophy," and that it had never been visited by any such things as "dreams of fallacious liberty" [immense cheering and laughter]—he believed that if the learned Ulemah were to argue the point just as if it was the holy Koran, still these "three gentlemen of Verona" would not turn away, in disgust, as he (Mr. B.) should do,—but would pry about for an avenue, by which to enter into the territory in question; and, if they could not find a way, would not be very scrupulous about making one; and the result, in one point of view, would be, that in three months from the time of deliberation, the emperor Alexander would be at Constantinople, or at Minorca—for he had long shown a desire to have some western provinces; and that Austria and Prussia would be invited to look for an indemnity in any thing that England, or the king of England, might have on the continent to suit them. The principles on which this band of congregated despots had shown their readiness to act, were dangerous in the extreme, not only to free states, for reasons which he had before explained, but also to the states over which the very members of this unholy junto presided. Resistance to them was a matter of duty; and the duty of this country was in consequence plain. It behoved us, however, to take care that we did not rush blindly into a war. An appeal to arms ought to be the last alternative we should try, but still it ought never to be so foreign to our thoughts as to be conceived impossible, or so foreign from our counsels as to take us unprepared. Already, if there was any force in language, or any validity in public engagements, were we committed by the defensive treaties into which we had entered. We were bound by various engagements to prevent Portugal from being overrun by a foreign enemy. If Spain were to be overrun by foreign invaders, what would be the situation of Portugal? Her frontiers on the side of Spain could scarcely be said to exist at present: there was no defence in them; they were a mere imaginary line, and had no existence except in the map of the geographer: her real frontiers were in the Pyrenees—her real defence was in their fastnesses; and whenever their passes were crossed, the same danger which threatened Spain would also threaten Portugal. If we were bound by the force of treaties, though we might not be bound to send an army of observation to watch the motions of the French army, we were at least bound to send a naval armament to Portugal, in order that we might have the earliest information of what was occurring there, and might be ready at any moment to give assistance to our ancient ally. Above all things, we ought to repeal, without delay, the Foreign Enlistment bill—a measure which, in his opinion, we ought never to have enacted. He would not, however, look back to measures, on the propriety of which all of them might not agree; but he would look forward, in order to avoid all subject of vituperation; reserving his blame for the foreigners whose tyrannical conduct obliged this nation to hate them, and his co-operation for whatever faithful servant of the crown, would, in the performance of his duty to his country, to freedom and to the world, speak a language that was truly British—pursue a policy that was truly free—and look to free states as our best and most natural allies against all enemies whatsoever; quarrelling with none, whatsoever might be the form of their government;—keeping peace wherever we could, but not leaving ourselves unprepared for war;—not afraid of the issue, but calmly resolved to brave it at all hazards;—determined, at the same time, to support, amid every sacrifice, the honour and dignity of the crown, the independence of the country, and every principle that was considered most valuable and sacred amongst civilized nations.—The hon. and learned gentleman sat down, amidst loud cheers from all parts of the House.

Sir *Francis Burdett* rose, but the cheering which followed Mr. Brougham's speech, rendered the commencement of the hon. baronet's observations completely inaudible. When we first heard him, he was observing that he rose to make his acknowledgments to the hon. and learned gentleman, for a speech as able as ever he had heard delivered, or as he believed ever had been delivered within the walls of parliament—a speech that went fully to support those principles on which the honour and interest of England, and he might also add, of Europe, materially depended, and which, if acted up to, would enable government to perform with spirit, efficiency, and promptitude, the part from which they ought not to shrink, under any circumstances. He would put aside, for the present, all considerations of agricultural distress, all questions of mere temporary interest, and would come forward for the single purpose of maintaining those valuable principles, on which the independence and happiness of nations must ever rest. He rose for the purpose of saying of the hon. and learned gentleman, that which had been previously said of a great and worthy man—"Nil non laudandum, aut sensit aut dixit." He was unable to pay the tribute which he felt to be due to the wisdom, to the virtue, to the patriotism, and to the force of reasoning, which the hon. and learned gentleman had that night displayed. Sure he was, that there was no English heart that would not feel what he had that night done to avert from the civilized world the greatest danger which had threatened it for many years. He also had received great pleasure from the manly and ingenious speech of the hon. gentleman who had that day moved the Address; and he trusted that the House would come to an unanimous vote upon it. In conclusion, he informed ministers, that if they acted up to the principles laid down by the hon. and learned gentleman that evening, the despots of the continent would, in case things came to the worst, witness that which they had not witnessed for a number of years; namely, the opposition of a united parliament and a united people.

Mr. Secretary *Peel* expressed his satisfaction, that there was such a desire in the House to concur with the sentiments contained in the Speech from the throne, and also with the sentiments which it was proposed to embody in the Address in answer thereto. After complimenting the hon. mover and seconder for the ability they had displayed, he proceeded to state, that as the hon. and learned gentleman, and also the hon. baronet who had followed him, had confined their observations to one point, he thought he should best consult the feelings of the House, by postponing any remarks which he had to make upon other matters to a future opportunity. There had, however, been some observations made of such immense importance, that he should be guilty of a dereliction of duty, if he allowed them to pass entirely unnoticed. The greater part of the speech of the hon. and learned member for Winchelsea, related to the policy, not of this country, but of the allied sovereigns. With regard to our own conduct, a time would come when a full explanation would be given of it; and he was sanguine enough to hope, that that explanation would be satisfactory to all parties. His majesty had repeated his determination to adhere to the principles which this government had laid down, first in 1793, and subsequently in 1821, respecting the right of one nation to interfere in the concerns of another. He conceived those principles to be, that every state was sovereign and independent, and was the only judge of the reforms and modifications which were necessary in its government; that, whatever course it might pursue in its internal concerns, of that course it was the sole and only judge; and that every other doctrine was as subversive of national independence, as the attempt of one individual to force upon another any specific line of conduct would be subversive of individual independence. The rights of states, however, like those of individuals, were subject to the interference of other states, if the exercise of them tended to the general injury. That injury, however, ought not to be of an imaginary or speculative kind—it ought to be of a nature clear to the feelings and palpable to the sight of every man; and of the necessity of making such an interference, each state, for the reasons he had before mentioned, ought to be the chief judge. With regard to the affairs of Spain, he could only observe, that as far as we were concerned, there was nothing in her present institutions that could warrant our interference with them. He trusted, however, that Spain would admit some changes in what was called the Spanish constitution; because he believed that such changes would tend to the advancement of her best interests, and the promotion of her best rights. It was his opinion, that it was not only an act of justice, but also an act of duty, for one friendly state to represent to another, the expediency of such changes; but, in making that statement, he by no means intended to say, that the grounds stated by the king of France for interfering in the affairs of Spain were such as warranted his interference; on the contrary, he meant to say, that he thought them not adequate. It was clear, that those who opposed the principle on which he interfered, could not approve of the mode of his interference. Still he thought, that the House ought to cherish the hope of peace; for no man could doubt what the real interest of England was, under the present circumstances. If he spoke with reserve of the line of policy which England was likely to follow, it was because he still indulged a hope that peace would be preserved; and if it was not, he still thought that every man would be satisfied that every effort, consistent with the independence of the country, would be made for its preservation. In the speech of the king of France, war was not stated to be certain. The expression was, "*if* war be inevitable." The hon. and learned gentleman said, that the condition attached to that "*if*" rendered it so; for it was "unless Ferdinand VII. be free to give his people institutions." Now, it appeared to him, that two meanings might be attributed to those expressions; and it was only fair to give France the benefit of them. They might mean that no institutions would be considered legitimate, unless they were derived from a king in the full possession of absolute power, at liberty to give, and absolutely giving them, with his own free will, to the mass of his subjects. Now, if this were the meaning of the words, they contained doctrines to which no Englishman could agree, even for a moment. Personal freedom, freedom from restraint, was absolutely necessary on the part of the monarch. Whatever construction the terms of the speech of the king of France might bear, he (Mr. P.) was anxious that it should not be misconstrued. As an Englishman, he should undoubtedly say, that the king of France had no sufficient authority to interfere: as a Spaniard, he should of course contend, the same; but, if he were a Frenchman, he could not at all tell in what view the question might present itself. He did not lay it down, that the principle adopted by France warranted her interference as a foreign power, in the internal affairs of Spain as an independent kingdom. Great Britain was, therefore, no party to any proceedings, direct or indirect, at Verona, that had this object. He was confident, that the House would excuse him from entering into further details, both on account of the absence of his right hon. friend, who presided over this department of the affairs of the state; and because, while, as he had before said, there was a chance of maintaining peace—while there was a hope that the irritation unfortunately subsisting might be allayed—he should repent, to the last moment of his life, if he dropped a single word by which that chance could be lessened. The rooted conviction of his mind was, that it was the policy of Europe that peace, general peace, should be preserved. After the devastation of the late thirty years war, subjects and sovereigns ought to have an opportunity of directing their attention to internal affairs. A war must now be injurious to Europe at large; but especially to this country. Our great object ought to be, at such a moment, to maintain a strict neutrality. Undoubtedly, it was not for Great Britain to rejoice in the deterioration of other states. On the contrary, instead of viewing the growing prosperity of neighbouring kingdoms with jealousy or alarm, she had opened her eyes to a more liberal and just doctrine: she found that her interests were not incompatible with theirs, and that their increasing consumption gave to her an increasing demand. The most dignified position she could assume was that of a mediator, not between contending (for they were not yet contending), but between angry parties. The highest duty she could discharge was, to the utmost of her power, to prevent the commencement of a new war, the termination of which no man could foresee. He could not avoid expressing his regret, that the hon. and learned gentleman, in the heat of argument, had been betrayed into the use of too strong expressions with respect to powers, the allies of this country. As our allies, we might protest against any principle of their policy; but, in stating our feelings regarding their personal character, caution ought to be observed; and certainly opinions ought not to be expressed which, he believed, were without foundation. It ought not to be forgotten, that those whom the hon. and learned gentleman had arraigned with such sarcastic severity, had joined with us, by a common effort, to repel a common danger. When, too, the hon. and learned gentleman spoke of that "great and resplendent character" Buonaparté, he confessed he had heard him with regret. Let him remember the exertions we had made with our allies against the atrocious violence of that individual. When the hon. and learned gentleman was speaking of Spain—when he was reprobating so strongly the interference of foreign powers—it was strange indeed that he should call that man "a great and resplendent character," who, with regard to Spain, had notoriously been guilty of the basest duplicity. Had the hon. and learned gentleman forgotten, while attempting to fasten on our allies all the crimes to which he had adverted, that the individual he had so panegyrised had been guilty of every one of them? Had he forgotten that he had broken all promises, disregarded all treaties, murdered princes, and subjected independent states to the most unjust oppression? Above all, had he forgotten that this "great and resplendent character" had borne a most ferocious enmity towards this country, which had ultimately been the cause of his downfall? The hon. and learned gentleman had said, that the whole object of the congress of Verona was to take into consideration the affairs of Spain. He begged leave to remind him, that other great questions had also occupied its attention,—the affairs of Italy, the slave trade, and the subsisting relations between Russia and Turkey. The recent conduct of Russia towards Turkey proved the injustice of the accusation respecting the spirit of aggression by which she was animated. Nothing could now be more manifest than that the policy of Russia of late had been marked by the greatest forbearance, and a desire rather to avoid than to promote war. With respect to the interference of Austria in the affairs of Italy, a stipulation had been entered into for the withdrawing of her troops. In his opinion, the step taken by Austria, in the first instance, was clearly justifiable. But, whether it were or were not, the conduct of Great Britain, both in the cases of Naples and Spain, had been perfectly consistent. Her conduct had been regulated, in both instances, by the same principle. She had left it to Austria to determine on the propriety of interposition on the grounds she had assigned; and at least she had shown, that her object was what she had stated—not territorial aggrandizement, but to prevent danger to her own dominions. One purpose of the congress was to decide the time when the troops of Austria should be removed.—The hon. and learned gentleman had directed but little of his attention to the internal affairs of this kingdom; no doubt reserving himself for some future occasion, when he would observe upon them more at large. The House must have heard with the utmost satisfaction, both that there would be a reduction in the estimates, for the service of the year, and that his majesty would be enabled, consistently with the maintenance of public credit, to recommend a further and a larger remission of taxation. Although, perhaps, rather irregular, he would now give notice, that it was the intention of the chancellor of the exchequer, after his return as a member, to take the earliest opportunity of entering into a general exposition of the financial state of the country, in order to explain to the House those details of reduction and remission of taxation, which he was satisfied would meet with the warmest approbation. It might not be anticipating too much to add, that a considerable part would apply to a diminution of the assessed taxes. He agreed, that it was most desirable to afford relief to the agricultural interest; but he did not concur in the notion, that that relief could be afforded by a remission of taxation. To the increasing prosperity of the manufacturing and commercial interests, he looked for the most material improvement. When so much new activity had been given to commerce—when such an increase had taken place in the manufacturing districts—it was impossible that ere long agriculture should not feel the benefit of the change, and in the end recover from its depression. As it was the wish of the House to come to a vote, he should abstain from further explanations, trusting that perfect unanimity would prevail.

Sir *James Mackintosh* said, it was not his intention at all adversely to meet and discuss the speech just delivered, as he applauded many of the just principles it contained, and commended the reserve which ministerial prudence dictated, as to the application of future measures adapted to particular circumstances. As to the incidental questions introduced by his hon. and learned friend, he could not observe upon them without occupying a larger portion of time than was at present desirable. He should, perhaps, have been contented to rest his opinion upon the excellent speech of the hon. mover of the Address, the principles it contained having been expressed in terms, such as neither he nor any man could improve. They had been further enforced by the eloquent, the irresistible speech, of his hon. and learned friend who had adverted, he would not say with sarcastic severity, but with sarcastic justice, to the conduct and character of those who claimed a monopoly of all civil and religious principles, and who, without scruple, felt themselves at liberty to violate those principles whenever it suited their convenience. He should not now have risen, after all that had been so well said, had he not been influenced by the generous appeal of the gallant officer to all members, to deliver their opinions on the state of Europe at the present critical and awful moment—at a moment when a war was about to be commenced subversive of the law of nations—subversive of all the rights of independent states—a war tending to involve all Europe in general hostility, and most especially affecting the security of his majesty's dominions, the honour of his crown, and the prosperity of his people. On one point only he differed from his hon. and learned friend; for he must deny that his most christian majesty had carried the principle of foreign interference beyond his allies at the congress of Verona. They had all laid down what had been called a monarchical principle. From the beginning of their alliance, or rather of their conspiracy, they had declared, that no institution could be good, or ought to exist, that did not flow from the will of the sovereign. This principle, which was avowed, contained in itself a declaration of war against the character of this country—against all its best and noblest institutions: it was a libel upon all the generations of our ancestors, a slander upon the very title to the crown. It declared, that those who secured and established British liberty were conspirators against the holy rights of kings: that George IV. himself was a usurper, and king William only the chief of a lawless banditti. It proclaimed as traitors those who had extorted Magna Charta from a tyrant, rendered the privileges of the House a mere assumption, and the occupation of the throne of these realms a violation of that great, just, profound, liberal, and enlightened monarchical principle which was to be applied to the affairs of Spain. He was sorry to hear such potentates called the allies of Great Britain: he could not conceive how any alliance could subsist between the government which advised the royal Speech of to-day, and those who held doctrines destructive of the hitherto acknowledged law of nations, and inconsistent with the rights of every state of civilized Europe. On this monarchical principle, war was to be declared against Spain; and it was contended, that three or four great states of Europe might combine to put down all amended institutions, not flowing from the mere will of the sovereign, and to make war upon a free people, because it thought fit, in the height of its arrogance, to frame its own constitution, without first consulting the combined wisdom of the crowned heads of the north. Let it be remembered too, that this war was to be declared without a pretence of danger to the dominions of any one of these great dictators of mankind. Governments adopting such a principle were, in point of fact and justice, at war with all independent states: they were the enemies of all who did not choose to submit to any yoke they thought fit to impose; and it then became only a question of policy and prudence with independent states, what time they would choose for asserting their rights, in defiance of a band of haughty and overbearing conspirators against the liberties of the world. He was sorry not to see the hon. member for Bossiny in his place, who, on a former occasion, spoke upon this subject with a degree of force and zeal which could not be forgotten, when he alluded to the overt acts of hostility by the sovereigns against the freedom of mankind at large, and compared them with the effects of the decree of the Convention of 1792, which had been held the grand authority for the resistance of other nations to the proceedings of France. The hon. gentleman had then applied this doctrine to the case of Naples. In reference to what had just been said, he must tell the right hon. secretary, that he was inconsistent in approving of the aggression of Austria in the case of Naples, and disapproving of the present interference of France in the affairs of Spain. It was a mistake to suppose that Austria had rested her justification on the ground of danger from vicinage. She had claimed the right of overrunning Naples as one of the lords paramount of Europe; because Austria saw Naples adopting institutions which were at variance with the system she chose her to possess. In proof of this, he referred the right hon. secretary to the declaration of the sovereigns, who proclaimed in terms, that they would "strike rebellion wherever they could reach it;" and, if they then confined themselves to Naples and Piedmont, it was only because they could reach no further. It was not then their intention, as they professed, to march any troops into what, in the new Muscovite geography, was called "the western territory of Europe," those obscure and semi-barbarous realms of France and Spain. It was not, however, through moderation, abstinence, or mercy, that they did not pour their hordes of Calmucs and Croats into those kingdoms, to subdue and civilize them to northern notions of liberty and happiness. They adjourned this beneficent project for two years, and allowed Spain and Portugal the privilege of being the last to be devoured. The king of France had now adopted that principle; and on that principle he was about to carry on the war against Spain. He, like Austria, complained of no danger from juxtaposition: he did not condescend to pay the public the compliment of conjuring up some imaginary peril, as an excuse for his aggression. According to his speech, the only object of his hostility was to enable the sovereign of Spain to give his people such institutions as he thought best for them. The ultra royalists of France of late had been very fond of reminding Europe of Louis XIV., and of saying, that the work which he had begun was now to be completed; in fact, that the object of the war, under the pretence of preserving social order, was to finish the subjugation of Spain, which that monarch had contemplated. He trusted that the House would hear with due reverence, and that Europe would mark with becoming attention, the dying words of William III., in his last speech from the throne, in which he exposed clearly the designs of Louis XIV. The significant threats of that ambitious king were at this moment revived by his restored successor, who was about to attempt to imitate the example of his ancestor, the oppressor of Europe, whose whole life had been devoted to the establishment of the principle of universal monarchy. The words of king William were delivered within two months of his death: they related to Spain and her relations with this country, and might be looked upon as almost prophetic of the situation in which Great Britain was now placed. They were these: "By the French king's placing his grandson on the throne of Spain, he is in a condition to oppress the rest of Europe, unless speedy and effectual measures be taken. Under this pretence, he is become the real master of the whole Spanish monarchy; he has made it to be entirely depending on France, and disposes of it as of his own dominions; and by that means he has surrounded his neighbours in such a manner, that, though the name of peace may be said to continue, yet they are put to the expense and inconveniences of war. This must affect England in the nearest and most sensible manner in respect to our trade, which will soon become precarious in all the variable branches of it; in respect to our peace and safety at home, which we cannot hope should long continue; and in respect to that part which England ought to take in the preservation of the liberty of Europe." Thus it appeared that king William placed above all other considerations and interests the glorious duty peculiarly incumbent upon this nation, of preserving the liberty of Europe. If he were asked for more, he would request the House to call to mind the unanimous address of both Houses not long after the death of king William. It should be borne in mind, that the dissolution of the parliament before that by which the address was voted, was resolved upon in 1707, for the purpose of more clearly ascertaining the sentiments of the people of England, as to the propriety of endeavouring to rescue Spain from France. The representatives, therefore, came directly fresh from their constituents, and they enabled the successor of king William to complete that alliance which might have effected the deliverance of Europe. Yet, in our day, the authority of Louis XIV., the common enemy and oppressor of Europe, was cited in favour of a successor of the house of Bourbon—restored for his moderation—replaced upon his throne on account of his pacific character, so well calculated to repress the military spirit and love of aggrandizement prevalent in his newly recovered kingdom. That successor seemed now resolved to make a perilous experiment, to ascertain whether he could not accomplish by conquest what was yet incomplete, by indulging that military spirit and love of aggrandizement which he was reinstated for the purpose of repressing. The unanimous address of both Houses to which he had referred, contained the following expressions:—"Your majesty is pleased to give us warning of the danger of being so far deluded as to depend again on the faith of treaties with an enemy, who has never yet had any other regard to them, than as they served the purposes of his interest and ambition; and to inform us, that no peace can be lasting, safe, and honourable, till the Spanish monarchy be fixed in the house of Austria, and France reduced to such a degree, that the balance of power in Europe be again restored. We humbly concur with your majesty in these your wise and noble sentiments. And we faithfully promise, that no dangers shall deter us, nor any artifices divert us, from doing all that is in our power to assist your majesty in carrying on the war, till you shall be enabled to procure such a peace for Europe." Did he say, that this recommendation was now to be complied with to the letter? Certainly not: experience, from the peace of Utrecht to the family compact, was against it: but, as soon as the family compact was concluded, the very evil foreseen by king William was revived, and, for all military purposes, Spain became a province to France. The only temperament the case admitted—the only event that could possibly check the absolute power of France, through a prince of the house of Bourbon, was the establishment of a national legislature. The application of the word "legitimate" was not confined, as the emperor of Russia and his coadjutors confined it, to sovereigns; for in 1812, the late lord Londonderry stated it as a *sine qua non*, that the authority of Ferdinand VII. and of the cortes, the legitimate government of Spain (Ferdinand being at that time a prisoner at Valencey, and all the powers of sovereignty being vested in the cortes) should be acknowledged. All Europe, excepting Buonaparté, had acknowledged the legitimate government of the cortes in 1812. And did not the events of 1820 restore it? Without dwelling longer on this point, he should content himself with stating, that, for his own part, he considered the meditated aggression by France against Spain and Portugal, in a geographical, military, national, and every other sense, upon the principle promulgated by the king of France, as the most unrighteous, unprovoked, wanton, lawless, and flagitious attack ever made by one state upon the liberties of another. The people of Spain had shown the most magnanimous forbearance. He prayed to God that they might continue a line of conduct that reflected so much honour on their national character; and he hoped that they would not be betrayed into excesses, which would only serve the cause of their bitterest enemies. Upon this subject he felt the strongest interest. He looked upon the deliverance of Spain as the noblest monument of British valour, and he saw that the object of this ungenerous invasion was to rob this country, if possible, of the laurels of Talavera, Vittoria, and Salamanca. It was an attempt, on the part of France, to steal from Great Britain the triumph which the one had gloriously gained, and the other ignobly lost. It was an attack upon the honour and character of this country. He knew, and was ever ready to acknowledge, that in the late war much was to be attributed to the invincible spirit and noble courage of Spaniards; but he knew also, that no nation had contributed more than Great Britain to their happiness and independence. He felt strongly and he spoke strongly; he sought for no qualification of his language, no retreat from responsibility. He had embarked his powers and his heart in the cause of Spain; it was his most ardent hope that the people might triumph over the detestable combination against their liberties; but, whatever might be the fate or fortune of their arms, he should never regret the part he had taken, the sentiments he had expressed. Bitter, indeed, would be his grief, if he saw this fine, this brave, this generous nation compelled to submit to the haughty dictation of a conqueror; for, in the history of the world, there never was a holier struggle against a more degrading tyranny. On the one side, was all that was dear to man, his best rights, his noblest privileges; on the other, all that was unjust, detestable, and flagitious. In what he had said, he believed he had spoken the undivided sentiments of the whole people of Great Britain: from one end of the kingdom to the other, all impartial men felt alike—sympathy for Spain, disgust at her conspiring enemies. As his hon. and learned friend had already remarked, there was scarcely an enlightened individual in all Europe, out of the councils of these self-elected arbiters of the fate of millions, who did not join hand and heart in the resistance the Spaniards were prepared to make. His hon. and learned friend had already made a beautiful quotation from a fragment of a recently recovered tract by Cicero; and he (Sir J. M.) would refer the House to another passage from the same author, most admirably adapted to a situation like that he had been contemplating, in which Scipio Africanus was made to draw a happy distinction between the condition of a people "qui sub lege est et sub justo domino," and of a people exposed to all the miseries of a cruel tyranny. Yet such were the sentiments which an aristocratical writer of the Roman republic put into the mouth of the leader of the senatorial party, during the sedition of the Gracchi, when passions were most inflamed, and life was exposed to the fury of the plebeian faction. He should conclude by repeating his regret at hearing powers entertaining the projects attributed to them, nay, which they had avowed and boasted, called the allies of England. Having over-run Naples and Piedmont, they were merciful enough to give a respite of two years to Spain: they might still, perhaps, give a further respite to Portugal, in order to lull that nation into security, and to deter them from aiding their ancient and near ally; but, by parity of reasoning, Portugal must be invaded, because she had followed the example of England in obtaining a charter of their rights. All eyes must see that the three powers of the north, by withdrawing their ministers from Madrid, and by their declarations, had made themselves parties to the war, and were ready to pour their myriads into "the western territory of Europe," should the troops of Louis XVIII. be unsuccessful, or should discontents break out in the interior of France. It was high time, therefore, for all men to contemplate the importance of the crisis, and to be prepared to see a Muscovite army lining the shores of the continent, from Amsterdam to Cadiz.

Mr. *Denman* said, that if peace could be maintained, consistently with the honour and security of the country, in God's name let it be preserved; but if not, though it was enough to break the heart of any man to reflect that the horrors and calamities of war were likely to be renewed, we had but one course left—that of manly and unanimous exertion. They had been assured, in the Speech from the throne, that his majesty's government had declined to interfere with Spain; but he could have wished for further assurances, that they had solemnly protested against the conduct of the allied powers, and that every effort, remonstrance, and threat, had been used to deter France from issuing that manifesto, the import of which it was impossible for any ingenuity to misconstrue. Could the intentions of the French government be doubted, when they declared they had 100,000 men ready to take the field? He was unwilling to enter into any topic which might provoke discussion; yet he could not help thinking that the House ought to be informed under what instructions his majesty's plenipotentiary had acted at Verona. What countenance could that plenipotentiary have assumed, when he was told that the allied powers were about to over-run Spain, because the Spaniards had extorted from their monarch those institutions which could only be obtained by extortion? He could not help thinking that such remonstrances ought to have been made as would have prevented the appearance of that disgusting speech which had issued from the mouth of the king of France. If the congress had, in fact, been the scene of remonstrance on the part of England, the aggression of France against Spain, in the teeth of that remonstrance, was of itself an act of hostility against England. He hoped that war might be averted; but he did not wish to see it averted at the expense of those principles upon which the happiness and security of the country depended. This was the single question which ought now to occupy their attention. He hoped the opinion of that House would be unanimously expressed. The details of those measures which public economy required, and all the facts connected with the severe sufferings of a most important body in the community, must all come before that House; but he wished it to go forth to the world, that the British house of parliament, on the first day of its meeting, was ready to go all lengths for the maintenance of the rights of their country, threatened in the person of its nearest and best ally. It was not to be forgotten, that the language of the French speech had been used by the emperor of Russia in 1820:—"institutions for the people ought only to emanate from the crown:" in other words, the crown was to allow its subjects only just as much liberty as suited its arbitrary dogmas. The allied monarchs, therefore, at least, deserved credit for consistency. They had over-run the fertile plains of Naples, and on the same principle they were preparing to tame down the haughty pride of Spain. He remembered having said long since, though rebuked for it at the time, that if the war in Italy had lasted long enough for the Russian army to march down from the north, Spain would have been the next object of attack. The allies had availed themselves of the earliest opportunity of invading Spain, and we could not shut our eyes to the fact, that Great Britain was in principle at this moment involved in the struggle. The whole people of this country must feel that there was but one side to this question. The least faltering at this momentous juncture might be fatal. The effect of any hesitation on our part might be most injurious to the interests of Spain. Let the House look narrowly to the present proceeding. The question which the continental powers now put to Spain, they would next put to England. It had been said again and again, that if the war did break out, England would, somehow or other, be dragged into it. Then, if the country was to go to war, let it go to war for some purpose. Let it now shun the contest at the expense of sacrificing its allies, and afterwards strike for some trivial point of form—some breach of diplomatic arrangement or decorum. If England must go to war, let her choose her own time. Let government speak out upon the present crisis, and be ready to back its honest remonstrance with all the power of this great and free country. In such a cause, there was no sacrifice which the country would not be prepared to make; and as the course he recommended was the just, so, eventually, it would be found to be the economical one. He thought that the rebuke his honourable and learned friend had received for calling a great man now no more a "great and resplendent character," might well have been spared, when the conduct of the present ruling powers was looked at—men who, without the excuse of the warlike motives, if he might so express himself, which had seemed to impel that individual, outstepped his injustice, upon a cold blooded calculation of their strength. Let France recollect her own struggles for independence; let her recollect the declaration in which, at the commencement of those struggles, she had offered assistance to all nations willing to follow her example. He should say no more, than that he much regretted he was not enabled to thank the crown for more active efforts to avert the crisis which the conduct of our allies threatened to bring upon us.

The Address was then agreed to, *nem. con.*

HOUSE OF COMMONS.

Wednesday, February 5.

MARRIAGE ACT AMENDMENT BILL.]—Dr. *Phillimore* said, he could assure the House, that it was with considerable regret he felt himself again obliged to trouble it on the subject of the Marriage act; but the House was so circumstanced with respect to it, that he felt it a duty to submit some alterations therein. It would be in the recollection of hon. members, that after several years, during which bills on this subject were sent up to, and rejected by the other house of parliament, a bill was last year sent up, which, in the opinion of most members, was so well calculated to answer its object, that it did not call for that species of comment to which it had been submitted in another place. He spoke with the less delicacy on this subject; for though he was one of those who were active in promoting the measure, the principal parts of it were not his, but were drawn up by persons the best calculated for such a duty. In that state the bill passed the House of Commons, and was sent up to the other House. It pleased that House, however, to leave only two clauses of the original measure; along with which they sent back a code of amendments, clogged with difficulties almost insuperable, making the whole a piece of legislation extremely complicated and inconvenient. When the bill returned, it was late in the session; and the House was in this difficulty—either to reject the measure altogether, and thereby delay the benefit to be expected from those clauses which could be operative in removing the evil, or to allow the whole to pass, and wait till the present session for the repeal of the objectionable clauses. He being the humble individual by whom the bill was first introduced, now felt it his duty to ask for leave to bring in another bill, to correct what he believed would not be denied to be the obnoxious parts of it. It was very natural to expect that objections would arise and clamour be excited against such a measure as that sent down from the Lords. In the first place, it gave great additional trouble to several officers in various departments, to whom no reward was given for such trouble. It also cut off many suits pending in the ecclesiastical courts. These in themselves would be sufficient to excite a clamour against any measure; but besides this, there were serious objections to the enactments of the bill of last session, which it should be his object to remove. The first of these was the number of oaths required to be taken by the parties to be married, and by others connected with them. Many of these were unnecessary and vexatious. The next was the necessity which the bill enacted of having extracts from the baptismal registry of the parties to be married. That was unnecessary, and ought to be dispensed with. Another objectionable part was that which required the several affidavits to be stamped, which pressed upon the poorer classes. Then came another part of the bill which rendered it imperative on the clergyman to read this voluminous act in his church at certain periods. That he considered unnecessary and inconvenient. Besides these, the bill went to take from certain peculiar jurisdictions the power of granting licences. Now, he did not say that such a step might not be a very wise one; but he objected to the manner in which it was done; for in many extensive districts it was now very difficult to get a licence at all. These were the general heads under which he thought that a remedy ought to be applied; but at the same time he should observe, that the House had done right in passing the bill last session. Since its enactment, no such disgraceful occurrences had been witnessed in our ecclesiastical courts as frequently took place before. They had not seen persons who had cohabited together for several years under a marriage, applying to have that contract set aside, on the ground of some technical informality.—The hon. and learned gentleman then moved, for leave to bring in a bill to alter and amend the said act.

Leave was accordingly given.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.] Mr. Childe having brought up the report of the Address in answer to the King's Speech,

Sir *R. Wilson* said, it was not his intention to disturb the unanimity which prevailed in the House on the present aspect of foreign affairs; but he could not suffer that opportunity to pass without offering a few words. After the impression which the powerful address of his hon. and learned friend (Mr. Brougham) had produced on the House last night, it was far from his intention to trespass on their time for more than a few moments; but, a word had fallen from a right hon. gentleman last night which he thought called for some remark. He had understood the right hon. gentleman to mention the word "neutrality." Now, he would anxiously wish to guard the House against being too confident that that would not be the course adopted by this country. A more disastrous course could not be pursued, as far as Spain was concerned; nor one less honourable to the character of this country. If once that part were decided upon, what was there to prevent France from passing the Pyrenees, and attempting to carry into effect her wicked, and he would say, premeditated project? But if she found the whole coast from Bayonne to Dunkirk exposed to the operations of our fleets, she would be more cautious how she ventured to advance with a chance of our being actively employed against her. He had no doubt, if the right hon. gentleman had given a pledge of neutrality on the part of this country, that he had done so in the expectation that it could be rendered valid. That, however, would be found to be a work of no little difficulty. We should recollect, that the approaching contest between France and Spain would not be for a boundary line: it was an attempt on the part of the former to put down the constitution—the free choice of the Spanish nation—that constitution which the allied sovereigns at Laybach had declared they would put down wherever they met it within their reach. But it was not Spain alone that we had to look to. Portugal, too, must be expected to be brought into the contest. She also had a constitution which the emperor Alexander would not recognize; and she would no doubt be anxious to defend it. But supposing Portugal to be so unwise, and he would even say, so base, as to desert Spain in her present exigency; supposing that by such desertion she were to add a force of 50,000 men to the invading armies—and, as a military man of some small experience, he asserted that the desertion of the cause of Spain by Portugal would be equivalent to the addition of 50,000 men to her invaders—still she would not rescue herself from the approach of those dangers, by which her ally of Spain was at present menaced. France, reinforced by the successful termination of her efforts on behalf of the cause of fanaticism and tyranny in Spain, and assisted by the exasperation which the desertion of Portugal would have excited in every honest Spanish bosom, would soon, by her advances to the Portuguese frontier, render it necessary for the Portuguese government to call upon the British cabinet to fulfil the various pledges of assistance which it had offered to it. But was it only external enemies that Portugal had to fear? Did not the right hon. gentlemen opposite know, that a regency of Portugal was already organized in France, and that some of its agents had even arrived in England for the purpose of making proselytes? Supposing an army of the Faith to be raised in Portugal by the intrigues and machinations of this body, and to be backed by a French army of observation stationed on the frontiers, would England, in case of its advance into the interior, be able to throw a military force into the lines of Torres Vedras with any chance of success, or to maintain in the town of Lisbon the immense mass of population which would be cast upon it by such an event? True it was, that England had been able to support that population during the last war; but it ought to be recollected that the supplies for it were at that time drawn from the Brazils, and that no assistance could now be expected from such a quarter. He therefore contended that, both in a political, a military, and a financial point of view, this country was bound to interfere with spirit on the present occasion; especially as by so doing she would only spend thousands now, where she might be compelled to spend millions in future. Nothing could be more honourable to parliament, and the nation in general, than the language which had been employed last night in condemnation of the policy of the allied sovereigns. The annals of history could not show a more wanton or a more wicked aggression upon the rights of nations, than that which they at present contemplated. He said that the aggression was wanton, because every man, who considered that the military force of Spain, previous to the 7th of July, did not exceed 22,000 men, must perceive that its government could entertain no ideas of foreign conquest; and he said that it was wicked, because the constitution of Spain had been recognized, first of all by Russia, and subsequently by Prussia and Austria, as each of them broke away from the chains in which Buonaparté had bound them—chains, which they would never have been able to have dashed asunder, had it not been for the brave example and gallant exertions of that nation, which they were now straining every nerve to reduce to servitude and vassalage. It was stated, however, as one ground of justification for the armed interference in the affairs of Spain, that the authors of the late revolution had stained their triumph with an unnecessary profusion of human blood. But he would ask, how far this assertion was justified by fact? It was known that much blood had been shed in the massacre at Cadiz. But, was it shed by the friends or the enemies of the revolution? There could be no doubt upon that point. It was an undisputed fact, that that massacre had been committed by the opponents of the present system; and yet, up to this day, no vengeance had been taken upon the perpetrators of that scandalous outrage. The only persons who had been put to death for offences against the existing constitution, were the two assassins who had murdered an officer of the guards for discharging his duty a few days previous to the 7th of July; and the convention with the mutinous guards, though made by an unauthorized officer, had been religiously observed. Another ground of justification was, that the Spanish government had exhibited a strong disposition to secularize the property of the church. But, if this were a sufficient cause for armed interference, not even the allied sovereigns, nor the pope, nor our own government, which he trusted was soon going to inquire into the state of church property in England, would be safe from it. A third ground was, that the present governors of Spain were the creators of anarchy. Of anarchy! Why, he was himself at Paris when general Quesada left it for Bayonne; to which place it was avowed, that he went for the express purpose of organizing a counter-revolution in Spain. On the road thither his carriage broke down, and it became necessary to remove from it the boxes of gold which he had received for the furtherance of his enterprise. Besides, it was notorious that, in almost all the frontier towns of France, bands, armed, and paid by French gold, had been formed, with the intention of promoting rebellion in Spain. In Bayonne, bulletins of the army of the Faith were regularly issued to the public, and a bank was established, for the ransom of such as happened to fall into the clutches of the constitutional party. He was convinced, that the object of the French government, in undertaking a war against the Spanish nation, was not so much to put down the rising liberties of that country, as to overthrow the charter of its own, and to restore the national domains to their original proprietors—a catastrophe which could never be produced without the assistance of an Austrian and Russian army, even supposing it could be produced with them. That such was the object of the French government had been openly avowed by count de Jouffroy in his letter to the duke de Montmorency; and that it was their object to put down all freedom of opinion, and all liberty of discussion, had been made further evident by a declaration of one of their pensioned writers, that it was almost a lamentable circumstance that the Christian religion had been given to the world, inasmuch as, in superseding the superstitions of Paganism, it had tended materially to unsettle the minds and opinions of men. Such being the intentions of the despots of the continent, it was the duty of the British government to come manfully forward in behalf of the liberties of the world; for they might depend upon it, that should war be the result, the people of England would gladly support them in it, if they presented themselves to their notice in the honourable character of the champions of European liberty.

Colonel *Davies* expressed his concurrence in the sentiments of independence which had been so generally expressed by the House in the discussion of the former evening. There was one point, however, in which he differed from the gallant officer who had addressed them with so much spirit at an early period of the evening. That gallant officer had expressed a hope, that we should preserve a strict neutrality, in case of a war breaking out between France and Spain. For his own part, he could not conceive how such a neutrality could be preserved by this country, consistently with honour. He should say, that if France sent a single soldier across the Bidassoa, or fired a single cannon on the other side of the Pyrenees, we ought to consider it as a declaration of war against England. He could not help thinking that, blind and bosotted as the courtiers were by whom the king of France was surrounded—even these men, if they were told that we should consider any aggression upon Spain as a declaration of war against ourselves, would pause before they ventured to make it. If the people of France were made to see that the destruction of liberty in Spain could only be considered as a prelude to the destruction of liberty among themselves, he thought that the impression made upon them could not fail to produce a corresponding impression, even upon those to whose hands their destinies were at present confided.

Mr. *Hutchinson*, though he agreed with every syllable in the Address, contended, that stronger language ought to have been put into the king's mouth, in the present critical situation of affairs. Such language would have struck terror into the congregated despots of the continent, and would have shown the sons of freedom in Spain, that the population of this country, from the prince down to the peasant, was determined to thwart the designs of their oppressors. The whole continent was at present looking up to the conduct of this country; and such a declaration from so high a quarter, would have excited it to a successful opposition against the tyrants who were oppressing it. He hoped ministers would be able to show, that not only had this country not joined at Verona in the unprincipled aggression upon Spain, but that it had opposed itself to it with all its influence. He cordially agreed in every sentiment which the hon. and learned member for Winchelsea had last night expressed, respecting the iniquitous notes of the three great continental powers. He rejoiced to hear the king advising his parliament to take into consideration the state of Ireland, and to do, at last, something to improve the habits and condition of its inhabitants. An improvement in the habits and condition of the people of Ireland could not, however, be effected by words alone, however conciliatory they might be: it must be the result of great and salutary measures. Amongst those measures, he should reckon a fair and equitable commutation of tithes, and the admission of the catholic part of the population to the enjoyment of those privileges from which they had so long been shut out.

The Address was then agreed to.

HOUSE OF LORDS.

Friday, February 7.

Marriage Act Amendment Bill.]—Lord *Ellenborough* said, that he was anxious to take the first opportunity which offered itself, to amend any defects that might have been found to exist in the Marriage act which was passed last session. During the discussions on the bill last year, it had been frequently insinuated, that the supporters of the measure were only anxious to carry that part of it which was retrospective in its operation. He had always denied the truth of that statement; because he knew that the supporters of the bill were anxious to make the prospective part of it as perfect as possible. He could assure the House, that it was to him a subject of deep regret, that any inconveniences should have been found to arise from the operation of that part of the act. At the time the question was agitated, many of the warmest supporters of the bill imagined that inconveniences might result from it; but, knowing that the House would have an opportunity of remedying those inconveniences after an experience of six months, they thought it advisable that the measure should pass. It could not be denied that some inconveniences had arisen from the act of last session; but they had been much exaggerated, and he could not help thinking that there was something not perfectly disinterested at the bottom of the clamour which had been raised upon the subject. The manner in which it would be advisable to amend the act of last session had been a subject of serious consideration with himself and other noble lords who felt an interest in the question. The first mode suggested was to recite in a new bill, all the parts of the present act which it was deemed expedient to repeal; but it was considered that this would render the new act a mass of confusion. It was therefore determined to adopt a different course of proceeding, and the bill which he intended to introduce was of this nature: in the first clause, all the prospective part of the present was repealed, except the first clause, which nullified the old Marriage act. The bill then proceeded to recite such other clauses of the prospective part of the present bill as it was thought expedient to retain. By passing the act of last session, their lordships had expressed their decision upon two points; first, the principle of the act; and secondly, the nature of the securities which were required by it. The principle of the act was, that marriages, when once solemnized, should be indissoluble; and the securities which were required from the contracting parties were to be given in the shape of oaths. The oaths which would be required would not occupy more than two minutes in reading, and therefore much inconvenience could not arise from them. A minister would be guilty of a misdemeanor by marrying parties without administering the oaths to them, and the parties, by committing perjury, would render themselves obnoxious to all the penalties attached to that crime.

Lord *Redesdale* said, that the inconvenience of administering the oaths at the solemnization of the marriage, and of making that, as it were, a part of the marriage ceremony, would be felt in populous parishes, where several marriages took place on the same day. It would be better to administer the oaths previously to the publication of the bans; because the canons required that clergymen should be satisfied that the parties about to be married were what they represented themselves to be.

The *Lord Chancellor* said, he had strongly opposed the act passed last session. It had excited great clamour, perhaps more than it ought; but it was evident that such a measure could not fail to call forth a strong expression of discontent. He was desirous to bestow all the attention in his power upon the bill about to be introduced; and all he asked for was, that their lordships might be allowed sufficient time deliberately to consider every part of it.

Leave was given to bring in the bill.

HOUSE OF COMMONS.

Monday, February 10.

The King's Answer to the Address.]—The Speaker reported the King's Answer to the Address as follows:—

"I return you my warmest thanks for this loyal and dutiful Address.—I receive with the greatest satisfaction the assurance of your unanimous concurrence in the principles which I have declared, and in the objects which I have recommended to your attention.—I have nothing so much at heart as the interests and welfare of my people, and the maintaining of this country at its present eminence among the nations of the world."

IRISH TITHES.]—Sir *H. Parnell* presented a petition from the grand jury of Queen's County, praying for a commutation of tithes. He said, he knew of no measure more likely to put an end to the unfortunate disturbances which had so long distracted his ill-fated country, than that which the petitioners prayed for. He had been informed that the noble marquis at the head of the Irish government, intended to propose to parliament some specific plan for effecting an alteration in the tithe system of Ireland. If that plan should fortunately prove successful, he would confer one of the greatest benefits upon Ireland. As the manner in which tithe was at present exacted was productive of equal inconvenience both to the payer and to the receiver, he trusted that the clergy of Ireland would not oppose the attempt which the noble marquis was now making to reform the system. He likewise hoped that his hon. friend (Mr. Hume) would postpone the motion of which he had given notice, until that which was to be submitted from the Irish government had been introduced to the House.

Colonel *Trench* cordially concurred in the prayer of the petitioners. If that prayer was granted, much would be done towards securing the tranquillity of Ireland. The present system of church government in that country was as injurious to the protestant, as it was hostile and oppressive to the catholic part of the community.

Mr. *V. Fitzgerald* fully concurred in every syllable which had been said on this subject. Though he conceived the measure which had been passed last session to be completely inefficient and impracticable, he was of opinion, that the discussions which it had occasioned had been of the greatest service. He trusted that the measure which government had in contemplation, would meet with that calm and attentive consideration which the magnitude of the question so imperiously demanded.

Mr. *Goulburn* said, that the government of Ireland had, from the first moment of its arrival in that country, been sedulously endeavouring to discover some mode of removing the evils which arose from the present system of collecting tithes. In the last session, he had brought forward a measure for that purpose; and though it might not have been as efficient as he could have wished, still he could not join in condemning it as the useless and impracticable measure which his hon. friend had described it to be. The subject had since that time been again taken into the consideration of the Irish government; and he trusted that when he should submit it to the notice of the House, it would be found worthy of its support and approbation.

Mr. *Spring Rice* asserted, that a more inefficient measure than that of last session had never been passed. Not one individual throughout Ireland had attempted to take advantage of it. As the declarations of the right hon. secretary were now of the same vague and unsatisfactory nature that they were last session, he trusted that his hon. friend would on no consideration postpone the motion of which he had given notice.

Mr. *Secretary Peel* thought that the hon. gentleman had no just reason to complain of the vague declarations made by his right hon. friend. The proposed measure would be brought forward at a period sufficiently early to enable the hon. member for Aberdeen to obtain the fullest discussion of his motion upon the same subject. It was desirable that that motion should be postponed, until the plan of the Irish government had been introduced.

Mr. *Hume* saw no reason why he should give way upon this subject, especially after the long delays on the part of ministers. They, or their friends, had been twenty-five years in office, during which they had done nothing to remedy the admitted evil. It was this delay of remedies that had rendered it necessary to keep down the people of Ireland by military establishments. It was now understood that the clergy of Ireland, after a long and strong opposition, had consented to commute their tithes for an acreable assessment. He had no objection to mention the general nature of his proposition. He should first contend, that the church property in Ireland was altogether too large for the purpose for which it was intended: next, that there should be no overpaid absentees of 1,000*l.*, 2,000*l.*, or 3,000*l.* a year, and starved curates of 50*l.* 60*l.* and 70*l.* a year; but that the acting clergyman should be allowed enough for his maintenance as a gentleman. He was opposed to the payment of any clergymen who were not resident; and he should call upon the House to declare this simple proposition—that the church property was set aside by the state for the maintenance of religion, and that it was in the power of parliament to appropriate it in the way most conducive to the interests of religion.

Ordered to lie on the table.

SINKING FUND.]—Mr. *Hume*, in rising to move that a series of financial papers which had been laid on the table of the House, should be printed, was anxious to preface his motion with a few observations. The title of one of these papers was, "An Account of all Sums paid over to the Commissioners for the Reduction of the National Debt, for the year ending the 5th Jan. 1823;" and from that document it appeared, that 15,853,000*l.* had been so paid over. The system was, however, a complete fallacy. It turned out to be a mere transfer—a paying with one hand, and borrowing with the other, without liquidating any portion of the amount of debt. It was as perfect a farce as was ever played off by any juggler. As the country was about to have a new chancellor of the exchequer, it was to be hoped that, with the old one, this preposterous farce would die. If they must have a sinking fund, let it be a real one, clearly and plainly set forth; and not a mere nominal fund, which could only answer the purposes of delusion.

Mr. *Grenfell* concurred with his hon. friend as to the folly of that system which induced government to lay before the House and the country this most idle and unsatisfactory account. He thought, however, that his hon. friend ought, in justice to the late chancellor of the exchequer, to have stated, that that right hon. gentleman had pledged himself, that the whole of that system which his hon. friend reprobated would be re-modelled; and that in future, the account of the sinking-fund should consist only of the surplus of income over expenditure.

Mr. *Lushington* said, that one of the earliest objects of government would be to bring the subject of the sinking fund under the consideration of the House, for the purpose of simplifying the system, and rendering it more intelligible.

The *Lord Mayor* (Mr. Alderman Heygate) deprecated any interference with the sinking fund system, from which the country had derived so much benefit. The proposition to enable the commissioners of the sinking fund to lend the money paid over to them for the service of the year, originated with one of the greatest ministers this country ever saw. It had been approved of by Mr. Fox, and was supported by Mr. Sheridan, and other eminent men, who usually sat on the opposition side of the House. It was a provision which arose from an act of the legislature at the time to which he had alluded; and he confessed he heard with great regret, that it was intended to depart from that system of financial arrangement which had rendered the credit of this country superior to that of any other state in the world. He would contend, that the sinking fund, by the way in which it had been managed, had enabled Great Britain to cope with the most powerful enemy that had ever been opposed to her. The system had been adopted by America, France, Russia, and Prussia; in short, it had been acted on wherever there was any thing like a representative government. He trusted, however anxious gentlemen might be to reduce the taxes, that still there was a spirit in that House which would, he was going to say, compel government to keep faith with the public creditor.

Mr. *Lushington* said, that the intention was merely to bring in a bill to simplify the system, and thereby to render it more intelligible.

THE LATE KING'S LIBRARY.]—Lord *John Russell* begged to know whether it was true, that his majesty meant to make a gift of the late king's library to the public. If such were the case, it was a proceeding well calculated to strengthen the attachment of the people to the House of Brunswick; and he wished that the high utility of the present might be preserved, by its being placed in such a situation as should make it generally accessible. It was a general complaint, that the metropolis had no sufficient public library; for that of the British Museum could scarcely be deemed public. He wished much to see a collection so thrown open as to afford, universally, encouragement to literature. If the country could not, in its present state, afford such an expense, he trusted that the object would be kept in view; and that the magnificent donation now made would form the basis upon which a future establishment might be raised.

Mr. *Peel* said, that the report was well-founded. No particular arrangement as to the disposal of the gift had yet been made; but he doubted not that the object aimed at by the noble lord would be duly attended to.

HOUSE OF COMMONS.

Tuesday, February 11.

Irish Yeomanry Corps.] — Mr. *Goulburn* asked leave to bring in a bill to continue and amend the acts for training the Irish Yeomanry. As these acts would expire in a few weeks, he thought it requisite to move for their renewal at as early a period as possible.

Mr. *Hume* said, that before he gave his consent to the introduction of this bill, he must ask the right hon. secretary whether the Irish Police act of the last session had not, in a great degree, rendered it unnecessary? The acts which it was now intended to renew, were productive of an annual expense of 66,000*l.* As such was the case, it behoved the House to look a little into the manner in which these yeomanry corps were constituted, and the purposes for which they were kept up. They were established in 1798; and, whatever might be the services which they then performed, he believed that since the rebellion they had been productive of much positive mischief to the country. These corps generally consisted of Orangemen; and were so far from being useful in keeping the peace, that all the tumults in the north of Ireland arose from them. During the last year, they had been called out to quell the disturbances which existed; but, instead of diminishing, they had absolutely increased them. Indeed, the formation of these corps had been a gross job from their commencement down to the present time. By a paper for which he had moved during the last session, it appeared, that ten brigade-majors of yeomanry corps had retired upon pensions. He was given to understand that these men were by no means unfit for service; and if that were the case, ought they to be placed upon pensions, either because they wished to retire themselves, or because ministers wished to bestow their places upon other of their dependents? He had been informed that some individuals had been invalided, who were not older than he was, and who, fortunately for themselves, were in much better health. To place such men on the invalid list was not an uncommon occurrence with the government of Ireland. An individual named Collis, who, he understood, was as free from infirmity as he was, and not more than 45 years of age, had been invalided on a pension, after ten years service, though he was treasurer of the county in which he resided, and had a private fortune of 2,000*l.* a year. The expense incurred for the present brigade majors was 3,750*l.* a year; whilst 1,275*l.* a year was paid in pensions to those who had retired, and so made way for them. This was one of the discoveries that had taken place, in consequence of his motion of last session, that an account should be rendered of all monies paid out of the civil list, previously to the estimates for the year being presented to parliament; and he could assure the House, that he had other discoveries in store for them from the same paper, each more appalling than the other. He trusted that the House would not allow this bill to pass, until some detail was given of the services for which these yeomanry corps were wanted.

Mr. *Goulburn* said, he was not prepared to explain at that moment whether Mr. Collis was as strong or as infirm as the hon. member; but if it was his intention to bring that grant under the notice of the House, he should be prepared at a fit opportunity to give the necessary explanation regarding it. At present, he should confine himself to the mere explanation of one circumstance, namely, how so many brigade majors were found on the list. At the close of the war, the number which before had been very great, was reduced to the state in which it existed at present; and the supernumeraries were placed on the half-pay. Since that time, whenever any vacancy had occurred in the brigade-majors which it was determined to keep up, it had been filled up out of those supernumeraries; and therefore there was no ground for the insinuation of the hon. gentleman.

Mr. *Abercromby* said, that the right

hon. secretary's argument appeared to be this—that they ought to pass this bill now, and to consider of the expense at a future opportunity. Now, he took this to be the wiser course—to consider of the expense in the first instance, and to pass the bill in the second. In the present distressing state of Ireland, it was impossible to treat as a mere matter of course, a measure which tended to perpetuate a corps, whose acts had been viewed with much anxiety, and not without a little suspicion. He trusted that no attempt would be made to press this measure hastily through the House, especially as the attorney-general for Ireland would, in a short time, be obliged to bring before their notice the present situation of that unfortunate country.

Mr. *Goulburn* said, he could assure honourable members, that he never entertained the slightest intention of hurrying this bill through the House. He had placed it thus early upon the table, in order that it might receive the fullest discussion. He could assure the hon. member for Calne, that the time would soon come when the circumstances to which he had alluded would be brought under the consideration of parliament.

Mr. *V. Fitzgerald* condemned the attack made upon the yeomanry corps of Ireland, as most unfair and illiberal. The corps which he had the honour to command, instead of being composed entirely of Orangemen, had not a single Orangeman in it. Indeed, to the best of his belief, in the yeomanry corps in the south of Ireland, nine out of every ten men were Catholics. In the county of Clare there was one corps in which there were only ten Protestants, and another in which there was not even one; and yet to that corps the government had been chiefly indebted, on a late occasion, for the quiet of the county. Unless the hon. member intended to assert that the yeomanry corps were altogether useless, he ought not to oppose the present bill, of which the sole object was to place them under military control. The superannuations appeared to him to be made upon the best principle, and certainly not from corrupt and profligate views. The hon. member had alluded to the superannuation of a major Collis. He could not tell whether there were two brigade majors of that name; but if the major Collis alluded to was the same major Collis who had been the inspector of his corps, he would tell the hon. member for Aberdeen, that instead of having only served ten years, he had served nearly as many years as the hon. member had stated him to have lived, and, therefore, his was not a case which deserved the reprobation that had been cast upon it.

Mr. *Spring Rice* reminded the last speaker, that his remarks on the manner in which some yeomanry corps were constituted only applied to those in the south of Ireland. The yeomanry force of Ireland amounted, however, to 30,000 men, and of these 20,000 were raised from the single province of Ulster. Now, he would contend, that all the objections to the yeomanry corps, arising from the Orange infusion by which they were tainted, applied in full force to the yeomanry of the province of Ulster. If some measure was not proposed to put down the processions of the Orange societies, which were known to be illegal, he should endeavour to add a clause to the present bill, to prevent the yeomanry from joining in them; because, alarming as they were at all times, they became doubly dangerous when men with arms in their hands formed a part of them.

Mr. *Hume* said, that in the paper to which he had before alluded, he found this entry—"Edward Collis, 136*l.* having served upwards of ten years." He had not served eleven years, otherwise it would have been so stated.

Mr. *Peel* denied that the individual in question, or indeed any other, had been allowed to retire, for the purpose of giving facility to the appointment of another person in his stead.

Leave was given to bring in the bill.

RUSSIAN-DUTCH LOAN.]—Mr. *Hume*, in moving for various documents relating to the Russian-Dutch loan, observed, that few were aware that, by a convention dated in May 1815, Great Britain agreed to pay to the king of the Netherlands a loan of three millions advanced to Russia. Perhaps, therefore, at that very moment, the emperor Alexander was preparing to make war upon Spain, with the funds of this country. The consideration for this payment was the possession of the Cape of Good Hope and Demerara, which had since cost Great Britain about half the original purchase-money, and they must always remain a useless burden. He wished to know what amount of principal and interest had been paid by this country since 1815. He did not know whether it was possible for us to vitiate this most impolitic engagement; but if it was entered into under the implied condition, that the emperor of Russia was to do all in his power to preserve the peace of Europe, we clearly were not bound to adhere to it; inasmuch as he was now straining every nerve to involve Europe in a new and a nefarious war. He concluded by moving for an Account of the sums paid in British money, in pursuance of the Convention, for Principal and Interest of the Loan, and an estimate of the sum remaining to be paid.—Ordered.

CROWN LANDS AND QUIT RENTS IN IRELAND.]—Mr. *Hume* moved that a Copy of the Report of the Commissioners appointed to inquire respecting the Crown Lands and Quit Rents of Ireland, be laid before the House. As he intended to submit a motion to the House on the subject, he thought that a copy of the commissioners' report should be laid before it. He intended to submit that the whole of these crown lands and quit rents should be sold, and the proceeds appropriated to the payment of the national debt. If put up to sale, he was persuaded they would fetch two millions. The hon. member complained, that the triennial report relative to woods and forests, which ought to have been laid on the table last year, had been kept back. It was intended, he said, that the whole of the crown lands in Great Britain should be available for the public service; but at present they rather increased the burdens of the country, being wholly wasted in pensions. He then moved for a Copy of the said Report; and an Account of the Sums transferred to the Three per Cents, on account of the crown lands, and also of the Forfeited Estates, in Ireland.

Mr. *Goulburn* said, that an act had been passed last session, to do the very thing with regard to the crown lands of Ireland, which the hon. member seemed now only to find out would be a convenient thing. As for the measure intended to be founded on these papers, it had already been carried into execution.

Mr. *Hume* said, he was aware of the act alluded to, directing the lands to be sold. What he complained of was, not that the House did not make laws enough, but that they were not executed.

The motion was agreed to.

VICE-TREASURER OF IRELAND.]—Mr. *Hume* referred to the manner in which the two exchequers of Great Britain and Ireland had been consolidated and united some years ago. He saw no reason why the same plan should not be pursued with regard to all the other departments, as was now the case with Scotland. A paper laid upon the table last year showed the enormous salaries of an immense number of persons dependent upon the lord lieutenant of Ireland, nearly the whole of which expense might be saved, if the system he recommended were adopted. He should hereafter bring forward a proposition to remove the lord lieutenancy, and all offices connected with it, to London. He was anxious, particularly, to call the attention of the House to the office of vice-treasurer of Ireland, a useless expense of between 7,000*l.* and 8,000*l.* a year, and for which nothing was done. The right hon. gentleman who now filled that sinecure passed half his time in that House, voting for ministers, and one quarter of it in Derry; devoting scarcely a month in the year to the public service. In a motion for the abolition of the vice-treasurer-ship, he felt assured of the support of some of the friends of the ministry; but above all, of the president of the Board of Control, who had declared this a most needless and expensive appointment. He would move for Copies of any Correspondence between the Chief Secretary for Ireland and the Chancellor of the Exchequer, respecting the office of Vice-treasurer.—Ordered.

HOUSE OF COMMONS.

Wednesday, February 12.

FOREIGN TRADE OF THE COUNTRY.]—Mr. *Wallace* rose, in pursuance of notice, to move for the revival of the committee of last session, to consider of the best means of maintaining and improving the Foreign Trade of the country. He made this motion not merely upon the general ground, that the commerce of the country was likely to receive important advantages from the labours of such a committee, but also upon a special reason, arising out of the circumstances under which the committee had separated at the close of last session. He was sure that the House would recollect, that when the dock system was first established in this country, certain exclusive privileges were granted to those who expended their capital in promoting it. Those privileges, however, were only granted for a limited period, and many of them were about to expire. The first to expire were those granted to the West India Dock Company; and that body, contemplating their approaching expiration, had presented a petition to parliament, praying for their further continuance. That petition had been met by others, of which the prayer was directly the reverse; and these conflicting petitions had been referred to the consideration of the committee upon foreign trade. The committee, feeling the importance of the question, not merely as it related to individuals, but also as it affected the commercial interests of the country at large, thought it to be their duty to suspend the examination of the subject upon which they were then engaged, and to devote their attention to the inquiry which the House had entrusted to its care. In consequence, they prosecuted that inquiry with the utmost diligence, and, before the close of the session, collected all the evidence which was material to it. By the time, however, that such evidence was collected, the session was nearly brought to a conclusion, and the committee then felt that they had neither time, nor indeed (owing to many members having left town) numbers sufficient to offer an opinion upon it, that was likely to prove satisfactory either to the House, or to the nation in general. That consideration led them to defer the delivery of their opinion to the present session, when they trusted that they should be re-appointed; and when they were more likely to come to a satisfactory decision. Such, then, was the situation in which the question rested at present. Evidence had been collected and materials for decision had been prepared: it remained only for the House to place the committee once more in such a situation as would enable it to give, and the House to receive, the opinions which it had derived from a thorough examination of the whole subject.—Having stated this special ground for the re-appointment of the committee, he deemed it unnecessary to enter into any of the general grounds. The principal objects to which the committee had directed its attention were well known to the House; the course of its inquiries was also known; and the result of them had been in some instances brought before it in a legislative shape. Neither did he feel it to be necessary to enter into any detailed account of the export trade of the country: indeed, at the present moment, the materials for such a discussion, were not in his possession. Still, in bringing forward a motion like the present, he could not avoid calling the attention of the House to the very different situation in which the commerce of the country now stood, from that in which it stood at the time when this committee was first appointed. At that time, great distress pervaded the nation, and a general feeling of despondency prevailed among all classes of society. The general export of the country in the four years from 1815 to 1819, had decreased 14 millions in official value; and he took the official rather than the actual value, because the official value was the measure of quantity, and because it was from quantity that the best measure was derived of the employment afforded to the different classes of the community. In the year from the 5th Jan. 1819, to the 5th Jan. 1820, the export trade fell no less than 11 millions; and in looking at that part of it which was more completely of British and Irish manufacture, he found that the difference in four years, was 8,414,711*l.*; and that in the year from 5th Jan. 1820, to 5th Jan. 1821, there was a decrease of 8,929,629*l.* Nobody, therefore, could be surprised, that at that period the industry of the country appeared to be in a state of the utmost depression—that our manufacturers were most of them unemployed—that our agriculturists were many of them embarrassed—and that the country, to use a phrase which an hon. friend of his had employed in presenting a petition from the merchants of London, exhibited all the appearance of a dying nation. Though the condition of the agricultural interest was not at present as favourable as he could wish, still it was most satisfactory to him to state, that not only did the exports of last year exceed those of all the years to which he had just been alluding, but also those of the most flourishing year which the country had known during the continuance of the war. In all the material articles, there had been a considerable increase. The export of cotton had increased 10 per cent; of hardware, 17 per cent; of linens, 12 per cent; and of woollens, 13 per cent; and the aggregate exports of 1822 exceeded those of 1820, by 20 per cent; and those of 1821, by 7 per cent; notwithstanding a deduction was to be made from the exports of one great article, refined sugar, owing to a prohibitory decree of Russia, amounting at least to 35 per cent. Such was the state of the export trade at the present moment, and he did not know that any stronger reason could be given for the revival of the committee on foreign trade, than that which the flourishing state of that trade naturally suggested. It could not fail to strike the observation of every member, that we held that trade at the present moment upon a very different tenure from that upon which we held it during the war. At that time, we were almost the only nation in the world that had any foreign trade: at present, we had to stand against the competition of every other nation; and, happy was he to perceive, that we could stand against it with every prospect of success. To make that prospect even more satisfactory, nothing more was necessary than to institute a revision of our commercial system, to remove the greater part of our prohibitory laws and restrictions, and to put ourselves in a situation that would enable us to avail ourselves of the chances and contingencies which the state of the world seemed ready to open to the commercial skill and enterprise of England. On many of the subjects which had been originally submitted to the consideration of the committee, the opinions of the committee had been declared to the House, and the House had adopted such measures upon them as seemed best suited to the circumstances of the case. If there had not yet been sufficient time for the country to reap any great benefits from those measures, there had still been sufficient time to show, that none of the evils which it was predicted would arise from them, had been realized. Whilst they had released the navigation laws from the mass of useless legislation by which they had been formerly incumbered, it was gratifying to observe, that the navigation of the country had not at all diminished, and that the effects which, it had been confidently stated, would occur with regard to one particular branch of our trade had by no means taken place. He had had a paper recently placed in his hands, which showed, that instead of the Levant trade coming through Holland into the ports of this country, as had been predicted, English vessels were now actually exporting articles of that trade from British ports to those of Holland. They had likewise been told, that the Norway trade, as also that of the North American colonies, would be cut up by the roots, if the measures proposed were carried into execution. They had been carried into execution; and, from information which he had received, he could assert that the Norway trade had actually increased in the last year; that debts there which had been thought desperate had recently been recovered; and that the North American trade had been extended, instead of undergoing the diminution which had been so loudly threatened.—The committee had also been instructed to look at the great question of opening further facilities to our commerce with the east. They had consequently taken it into their consideration, and had offered their opinions upon it to the House, which were found to concur with those formed by a committee of the other house of parliament, that had been deliberating upon the same subject. The advantages which had been anticipated from the measures which the committee had proposed to the House, had not proved so great as had been expected; but still considerable advantage had been derived from allowing English ships, of a certain burden, to be placed on the same footing with foreign ships, and to sail direct from our ports to India. The committee was desirous that the same privilege should be extended to all descriptions of ships, but they could not recommend such a measure to be adopted, as they were bound down by a specific act of parliament, which, in common fairness to the East India company, ought not to be infringed. He trusted, however, that that great body, which received so much benefit from the act in question, would, at an early period evince, a disposition to make some concession from its strict rights to the general good of the community.—The last subject on which the committee was instructed to inquire, was the burdens imposed on the shipping of the country. That subject had not been neglected by the committee; and he felt great pleasure in now returning his thanks to one great corporation for the alacrity and zeal with which it had carried the recommendations of the committee into effect. In consequence of foreign ships being placed more nearly upon a footing with our own, many of them had already sought, in dangerous weather, a shelter in our ports; and, if one of the many vessels which had formerly been scared from our coasts by the heavy duties which they had to pay on entering our harbours, had been, or should be, saved from shipwreck by such an alteration in our commercial policy, the labours of the committee would be amply repaid. Valuable as all the measures to which he had been alluding had proved to the country, they were not more valuable than the declarations which they had elicited from the government and from the House, of the real principles on which they thought that British commerce ought to rest; namely, that they ought to get rid of the old restrictive system of commerce, and to adopt one more liberal in its nature and more beneficial to the intercourse of foreign nations with this country. Those declarations had had their full weight both at home and abroad: they had already made several of the nations of Europe more liberal in their commercial restrictions: many countries had already placed English ships on the same footing with their own, and had shown a disposition to act towards us, on a system of complete reciprocity. He was convinced that we could adopt the principle of reciprocity with perfect safety to the navigation of the country. For his own part, he had no doubt upon the subject; and he trusted, that in a short time the country would have none also. He was aware, however, of the difficulties with which they had to struggle at every step in their endeavours to arrive at a free trade—difficulties which arose, not merely from old and antiquated prejudices, which, he trusted, would gradually fade away; but also from a morbid sensibility incident to the manufacturers of this, and, he believed, of every other country, which induced them to believe, that every advantage granted to the foreigner was a positive injury to themselves. He was as much alive to the real interests of the manufacturer as any man could be; but, in discussing a great question in which all the interests of the country were concerned, he must be convinced, before he was persuaded to yield to their remonstrances, that it was a real danger which they feared, and not a mere idle alarm or visionary apprehension. He therefore trusted, that while the House showed a readiness to give the protection that was at all times due to the manufacturing interests of the country, it would also remember its duty to the nation at large, and to the commercial interests of the whole community.—The right hon. gentleman concluded by moving, "That a Select Committee be appointed to consider of the means of maintaining and improving the Foreign Trade of the Country."

Mr. *Baring* rose to acknowledge the obligations which the trade of the country owed to the right hon. gentleman. The merits of the right hon. gentleman were fully appreciated by the merchants of London. There was but one opinion amongst them, and that was, that since the first establishment of the Board of Trade, all the exertions of all its former presidents were not, when united, equal to those which had been made by the right hon. gentleman alone, during the time he had filled that office with so much honour to himself and so much advantage to the community at large.

Mr. *Ricardo* rose for the purpose of paying his tribute of respect to the merits of the right hon. gentleman, who had so lately filled the office of vice-president of the Board of Trade. He would say this; that, much as the right hon. gentleman's plans had benefitted the commerce of the coutnry, they would have benefitted it still more, had all of them been fully carried into effect. They had met, however, with too many obstacles from interests that were hostile to his improvements; and, though he regretted the circumstance much, he must still observe, that those interests ought to be tenderly dealt with. He thought it would be wiser to make a compensation to any parties who might be injured by the alteration, than to persist in a system which was proved to be detrimental to the commercial interests of the nation at large. He had heard with the greatest pleasure, the very liberal speech which the right hon. gentleman had made that evening; nor was it with less satisfaction that he had heard his flattering account of the export trade of the country. It had been said, that the exports were greater now than they had been during the most flourishing year of the war. It ought likewise to be stated, that during the war our great foreign exports went to meet our great foreign expenditure; whereas at present we received valuable returns for every thing we exported. In looking at the general state of the country, it was satisfactory to find that, amid the gloom and distress in which the agricultural interests were involved, its foreign commerce was in a flourishing condition. He was sure that it must be the wish of all who heard him, that it might long go on, prospering and to prosper. His only reason for rising was to bear his testimony to the extraordinary merits of the right hon. gentleman.

Mr. *Hume* rose to express his deep regret that the country was likely to lose the services of the right hon. gentleman, who, for the last two or three years, had devoted his attention so beneficially to the public. If ministers had had the interest of the nation as much at heart, as the making a provision for their friends, they would have contrived, in some way, to have secured the assistance of the vice-president of the Board of Trade. It had most fortunately of late become the general opinion, that the interest of the state was involved in the interests of individuals, and the labours of the right hon. gentleman had been applied to carry this principle into effect. It was, therefore, deeply to be lamented, that he was compelled by circumstances to retire from his situation.

Mr. Secretary *Canning* cordially agreed in what had just fallen from the hon. member for Aberdeen. He regretted, as much as any man, that any circumstances should have occurred to induce his right hon. friend to withdraw his aid from his majesty's government. What those circumstances were was not perhaps a fit subject for discussion: he could only say, that there was no member of the government who did not join with him in appreciating most highly the talents of the coadjutor they were about to lose. Though feelings of delicacy might induce his right hon. friend to relinquish the situation he now held, no effort would be left untried, on the part of the king's government, to replace him in an office equal to his high abilities and eminent services.

The committee was then re-appointed.

COURTS OF JUSTICE IN IRELAND—CHIEF BARON O'GRADY.]—Mr. *Spring Rice* requested the attention of the House while he brought before it a subject of the greatest importance. He alluded to the administration of justice in Ireland, and particularly the charges contained in the 9th and 11th reports of the commissioners of inquiry against chief baron O'Grady. He did not wish to go into the merits of this great question at the present moment. He would now only state specifically what had been done on this subject, and ask the government, what course was by them intended to be pursued regarding it? In 1814, his right hon. friend, the member for Waterford, moved an address to the crown for the appointment of commissioners to inquire into the conduct of the officers connected with the administration of justice in Ireland. Very few parliamentary efforts reflected more honour on their author. Few public men had been able to do more good to their country than his right hon. friend had by this single motion, and he would add, in perfect sincerity that, as far as government was concerned in the furtherance of the inquiry, and with regard to the selection of commissioners, it had deserved well of the country. A more painful duty could hardly be imposed upon men, nor could any set of men have performed it in a more fearless or uncompromising manner than these commissioners had done. In April 1821, a report was made from these gentlemen, reflecting very seriously on the chief baron of Ireland. That learned lord was thereby involved in charges of the gravest importance; for they went the length of imputing to him that, in the execution of his duties as a judge, he had been guilty of extortion on the suitors in his court, in taking as fees more than was due, or that which was not due at the time it was taken. In June 1821, he (Mr. Rice) brought this subject before parliament, and he then moved a series of resolutions founded on the report of the commissioners. The noble marquis (Londonderry) then the organ of government in that House, asked him to suspend his measures, and promised to bring the subject forward in another shape. At a future time a select committee was appointed, to which the whole subject was referred. The House would recollect, that this committee was appointed on the motion of the noble marquis. The report of that committee (of which two of the ministers were members), was not conclusive on all the points of inquiry. They required more information to arrive at a decisive judgment. The noble marquis pledged himself, that the subject should be referred to the competent authorities in Ireland. At the commencement of the last session the subject was again referred to the same commissioners of inquiry, who made another report. These documents were now on the table of the House. The charges, it should be remembered, were against a high judicial personage, and were preferred by a commission of legal inquiry issued by government, under a parliamentary authority. To these charges the lord chief baron had pleaded not guilty, and the parties had joined issue on that plea. During the last session he (Mr. S. Rice) had given notice that he would bring this important subject before parliament, and he was ready, if necessary, to fulfil his engagement. But such a proceeding ought not fairly to be cast on any one individual. Government ought to interfere. They ought not to stand by as a neutral party in this great question. Either they ought to protect the character of the judge, from the attack of the commissioners, or they ought to protect the administration of justice from the abuses of an unworthy depository of judicial power. If the chief baron was correct in his assertions, the commissioners ought to be regarded as a gang of calumniators, not as a reputable body of impartial judges. If, on the other hand, the commissioners were correct in their charges, then the chief baron was unfit to continue in the administration of the law, and ought forthwith to be dismissed from the bench which he disgraced. There never was, he believed, a more important subject submitted to parliament. The prosecution of the inquiry ought not to be cast upon the shoulders of any individual. The Irish government had lately undertaken the task of revising the lists of the magistracy; an act for which every lover of his country felt grateful, though perhaps it was valuable rather for the admission of the principle of reform, than for the mode in which that principle was carried into practice. However, having admitted the principle, that unworthy magistrates ought to be dismissed from trusts they could not execute, was the government prepared to have it said, that while, with much of parade and affectation, they struck off ignorant and corrupt magistrates, whose principal fault was probably their folly, more exalted offenders, on whose character and conduct the highest interests of society were dependant, should be passed by, not only without punishment, but, as far as ministers were concerned, without accusation? The commission for inquiring into the administration of justice in Ireland, was now proceeding in its researches. It had cost upwards of 100,000*l.* of public money. If all this money was not actually wasted; if the reports of that commission were to be considered as any thing better than waste paper, why were not these reports made the foundation of measures of practical reform? It was clearly the duty of government to have acted in this case as they had in all others. Confiding in the integrity and ability of this commission, government had undertaken an entire re-modification and reform of the administration of justice in the higher courts of Ireland. They had legislated on the faith of these reports: they had dismissed clerks and regulated offices on the recommendation of the commissioners of inquiry. Were they prepared now to desert their duty, and neglect to bring higher personages to justice? Why were not judges as fit objects of reform as inferior officers? He was perfectly willing to go on with this inquiry himself, painful and invidious as it was; but he called upon government to take the necessary steps; and it was only in their default that he would step forward. As to the probable issue of the inquiry, he would not say one word. If the charges were not maintainable, no man was more anxious than himself, that chief baron O'Grady might be honourably acquitted; but it was due to public justice, now that he was accused by so respectable a body of prosecutors, that he should at least be tried. He moved, for Copies of all Correspondence between the Irish government and the judges and officers of the courts of justice in Ireland, on the subject of the ninth and eleventh reports of the Commission of Inquiry, and the Letters of chief baron O'Grady, since the 1st of June, 1822.

Mr. *Goulburn* was confident that the hon. member must anticipate the reply he should give to the inquiry contained in what had been just stated, and he trusted that the House would concur in the propriety of the course which government thought itself called upon to pursue. True it was, that the marquis of Londonderry occasioned a further inquiry into a part of the case; but it did not follow, that it was the duty of ministers to proceed with the other parts of it. The committee had been appointed to obtain further information for the general satisfaction of the House; and it seemed to him (Mr. G.); that for government to take up the charge under the particular and especial circumstances, would be a great injustice to the individual inculpated, and a gross violation of an important public principle. He saw no analogy between the cases of the inferior magistracy and that of a judge. In the first case, it was the undisputed right of the crown to appoint and remove; but a high judicial officer, though named by the crown, was not removable by it, and stood quite upon a different footing. For ministers to proceed in the accusation, would be to make this solemn question a party matter, and would be highly prejudicial to the interests of justice. He did not say that cases might not occur in which the government would be called upon to interpose, but he contended that the present was not one of them. It had been begun by the hon. member for Limerick; he had persevered in it through several sessions, and he had even that night followed it up by moving for additional documents. The charge could not be in better hands.

Mr. *Abercromby* contended, that the marquis of Londonderry, by the proceeding he had recommended, and by the committee he had appointed, had, in point of fact, adopted this accusation. There was no duty more important than for a government to watch over the due administration of justice. He also objected to this being made a party question; but the way to render it so, was to leave it in the hands of an individual member, and to direct against him all the influence of ministers. This charge had for several years been depending against the chief baron, during which time he had gone the circuit, and had tried criminals, when perhaps he himself ought to have been put upon his trial. If government did not proceed, they would be guilty of an abandonment of their duty. If the hon. member for Limerick would take his advice, he would recommend him to drop the subject, in order to see whether ministers would venture to remain passive spectators.

Mr. Secretary *Peel* observed, that the real question was, whether government ought to take the case out of the hands of the hon. member for Limerick, who had commenced the proceeding in 1821. Was there any reason why he should relieve himself, and throw the burthen upon the shoulders of others? Ministers must, of course, be at all times anxious to facilitate these proceedings, and had done their utmost to carry the reforms recommended by the commissioners into effect. They were by no means desirous of shrinking from their duty; but, because the marquis of Londonderry wished to obtain further information, it was not to be inferred that he meant to undertake the prosecution. He was then only acting in his judicial capacity as a member of parliament. The ends of justice would be best promoted, by leaving the case in the hands of the hon. gentleman who had originally undertaken it.

Mr. *Grant* by no means agreed, that in moving for a committee, the marquis of Londonderry had pledged government to prosecute the complaint. He thought, however, that the best course which could be taken at present, would be to refer the whole matter to a committee anew.

Mr. *S. Rice* said, he never meant to assert that the marquis of Londonderry had given any distinct pledge on the part of government; yet certainly the moving a committee of his own nomination, was a most extraordinary way of leaving the matter in the management of himself (Mr. Rice). Though he had been the proposer of this inquiry, he had never discussed it in any other way than by calling on government to do its duty. Not that he shrunk from any responsibility; but as this was a great public inquiry, and as it had now received the sanction of a committee, and was borne out by facts and documents, he did think that he might call upon the government for a more marked and earnest declaration of opinion than they had as yet given. He protested against the supposition, that this was to be considered as the charge of any individual member. It was the charge of the parliamentary commissioners, after a judicial inquiry; it was the charge of a select committee above stairs, and he was only the instrument, on the present occasion, of bringing the case under the notice of the House.

The motion was agreed to.

COMMITTEE OF SUPPLY—LIEUTENANT-GENERAL OF THE ORDNANCE.]—On the order of the day for going into a Committee of Supply,

Mr. *Hume* said, he had been pleased, and indeed every man in the House must have been pleased, with the promises held out in the Speech from the throne, as to economy and lightening the burthens of the people. But, however unpleasant it was to doubt the words of the throne, when those words were formally addressed to the House of Commons, he felt himself under the necessity of taking that disagreeable course. He had taken the trouble to select from royal speeches, one or two instances to show how little the declarations of ministers in such speeches were to be relied on. In 1817, after a speech from the throne abounding in promises of reduction in expenditure, the estimates for the year had been 13,000,000*l.*, and the actual disbursements 14,000,000*l.*, giving an expenditure over the estimate of 1,000,000*l.* In 1819, after promises of reduction in our naval and military establishments, the estimate was 14,300,000*l.*, and the disbursement 15,155,000*l.* Again, in 1821, the estimate was 14,300,000*l.*, and the expenditure upwards of 15,000,000*l.* In spite, therefore, of all the protestations of economy, the expenditure of 1821 was more than 200,000*l.* greater than that of 1817. It was the duty, then, of the House to look, not to the sweet and honied words of ministers, but at the result of their measures. And this brought him to the Speech from the throne in the present session, upon which he was anxious to make one or two observations. The Speech declared, that the estimates of the year had been framed with every attention to economy. This was the self-same phrase which had gone through all the speeches for the last twenty years; and the House, from the experience of former sessions, would judge what value was to be attached to it. The hon. gentleman then proceeded with calculations intended to show, that the expenditure of the year ending Jan. 1822, exceeded that of the year 1817. But from general statement, he would come to particular instances. Let the House look at the recent appointment of lord George Beresford to the post of lieutenant-general of the Ordnance. Hon. members would recollect, that the charge of that department had increased from 400,000*l.* to 1,200,000*l.* a year; that the expense of the office in the Tower had risen from 16,000*l.* a year to 48,000*l.*: and that the pay of the lieut.-general of the Ordnance, instead of 1,100*l.* a year, was now 1,950*l.* How often had ministers declared their intention to bring down salaries as near as possible to the level of 1792! He had forborn to press the reduction of the lieut.-general of the Ordnance's salary last session, because it might have seemed severe upon the then incumbent, sir Hildebrand Oakes. But who could ever have contemplated the giving the existing salary to any subsequently-appointed officer? If the House would look back to the 13th report of the commissioners of military inquiry in 1811, they would find that the office of lieutenant-general of the Ordnance was deemed unnecessary, provided the attention of the master-general of the Ordnance was duly given to his charge. There had certainly been a difference of opinion upon this point. Lord Moira had considered the office of lieutenant-general superfluous; lord Chatham had held it to be useful; the commissioners, on deliberation, had agreed with lord Moira. But, with that report upon the table of the House, and with the positive declaration of the commissioners that they considered the office unnecessary, upon what ground could ministers justify the filling it up in time of peace? He wished to guard himself against being supposed to cast any imputation upon the noble lord who now filled the office in question. He understood, indeed, that the noble lord had known nothing of the arrangement until the situation was pressed upon him. He believed the noble lord's merits as an officer were unrivalled; but allowing them to be so, they had not been forgotten by the country. He must just name one or two facts to guard himself against being told that this situation was given to the noble lord as a reward for his signal services. He rejoiced to see the noble lord enjoying all the honours and emoluments which he had received from the Portuguese government, and from that of his own country. The noble lord, on being raised to the peerage, had obtained a pension of 2,000*l.* a year. He did not grudge that pension. He thought it right, that when the noble lord received his title, he should also receive something to enable him to support it. But, besides this pension, the noble lord was governor of Jersey, an appointment which produced him 1,422*l.* a year; he was a lieut.-general in the army, and a colonel of a regiment, situations which gave him at least 1,000*l.* a year more; and, in addition to these, by the Gazette of three nights back, it appeared that he had taken a new appointment (the situation declared a useless one) of 1,950*l.* a year. Notwithstanding the services of lord Beresford, he could not help believing that he was indebted for his appointment to this office, to the enormous influence possessed by his family. The time would shortly arrive, when he should show to the House the thousands and the tens of thousands of the public money, which was received by that family, and particularly from the revenues of the church in Ireland. There was exercised by them somewhere and somehow, an influence which he had no hesitation in saying ought to be diminished. For the present, he believed, he had shown enough to convince the House that ministers were bound to explain why, in contradiction of the recommendation of the committee of military inquiry for the abolition of the office of lieutenant-general of the Ordnance, they had thought fit to continue it. He should, therefore, submit the following motion, by way of amendment: "That, as the Commissioners of Military Inquiry have reported in their 13th Report in 1811, that in their belief, from the information given to them, the appointment of Lieutenant-General of the Ordnance was not essential to the constitution of that department, this House are of opinion, that the recent appointment of lord Beresford to that office is inconsistent with the professions of economy from the throne, and therefore request the fullest explanation as to the necessity of that appointment in time of peace, before they can grant any supply to his majesty."

Mr. *Canning* said, he would submit to the House, and to the hon. gentleman himself, whether the question was in such a shape at that moment as would justify his pressing it. He did not mean to say that it was not competent to the hon. gentleman to pursue the course he was now adopting; but it surely could not be advisable to resort to the extreme remedy of stopping the supplies, until he obtained an answer to his question, without having given previous notice of his intention to submit it to the consideration of the House. To say that it was unusual, he knew was only to urge an argument which the hon. gentleman was at liberty to reject or to admit. But the House would say, whether it would depart on this occasion from its established usage, and in the present stage of the business reprobate an appointment, which the hon. gentleman admitted was without the *gravamen* commonly attributed to appointments made from improper motives. The hon. gentleman had thought fit to ascribe lord Beresford's appointment to the parliamentary influence of his family. He would appeal to any man of candour, whether the rank and services of that gallant officer were not more probable reasons for his having been selected to fill an office, for which they had so eminently qualified him. It would be recollected with whom the nomination lay. It could not fail to occur to gentlemen, that the ties of mutual esteem, of long acquaintance, of long service together, of companionship in arms and in glory, must have had no small effect with the duke of Wellington. Considering these things, no candid mind would hesitate to admit, that other motives had operated upon the noble duke, than those suggested by the hon. gentleman; and that, whatever weight the parliamentary influence of lord Beresford's family might have had, if the appointment had been with ministers, those considerations could not apply to the duke of Wellington. But he would do more than offer reasoning on the subject: he would state two facts; first, that it had been offered to lord Hopetown, to whom the same objection did not apply; and 2ndly, it had been offered to lord Hill. So that lord Beresford, whose parliamentary influence the hon. gentleman would have it believed could command this office, came the third upon the list; and the same motives of fellowship and fitness for service, which had placed it within the choice of others, gave it at length to him. The selection of the two first persons must have been prompted by common motives; and yet the hon. gentleman would have it thought that the choice of a third arose from grounds not applicable to the other two. He was neither prepared nor inclined to enter upon the question of the necessity of the office. It had, however, the presumption in its favour which was derived from long practice. He did not know what case the hon. gentleman meant to submit to the House; but surely it could not be denied that previous notice was necessary. If the subject was to be discussed, it was fit that those persons should be prepared for it, whose duty it was to defend the appointment, if it was capable of defence. He took no shame to himself for being ignorant of the details of that department. It was enough for him at present to direct the attention of the House to these points—that there had been no previous discontinuance—that the appointment had been filled up in the usual course—that it had been given to a fit man, and bestowed by an authority which could be the least suspected of those corrupt motives which were supposed by the hon. gentleman to pervade every branch of the administration.

Mr. *Brougham* felt himself obliged to oppose his hon. friend's motion. He did so with regret; but the question was one which it behoved the House to deliberate upon seriously; and as this could not be done without the assistance of the members of that department to whom it belonged to defend the appointment, he wished it should be postponed to a period when their presence could be ensured. It was far too important to be taken up by the House thus incidentally; and if any thing could tend to confirm him in the opinion, that it should be postponed to a more favourable opportunity, it was the line of defence adopted by the right hon. secretary. He had given very satisfactory reasons why lord Beresford had been chosen; but he had not given the shadow of a reason why the offer of the appointment had been made to any one. The question did not, and could not, apply personally to lord Beresford. No man could be more ready than he was to admit the services of that meritorious officer. Nothing could be more natural than that the duke of Wellington should offer this appointment to him, as well as to two others of his gallant companions in arms; but still the information was wanting, why the office was in existence to be offered to the one or the other. When the vacancy occasioned by the death of general Oakes offered an opportunity of putting an end to it, there could be no doubt that the country had a right to be informed, why that opportunity was not immediately seized upon. There was another objection, besides that of stopping the supplies, which occurred to him, against the further discussion of this subject at the present moment. It was not consistent with parliamentary usage. When information was required, it was obtained, either by an order that it should be laid before the House, when it was within the power of the House, or by an address to the throne; but it had never been the practice to ask for information, without stating by whom it ought to be granted. He should be glad if his hon. friend would postpone his motion for the present, giving, at the same time, notice of his intention to bring it before the House at an early opportunity.

Mr. *Hume* said, that the House was in no way taken by surprise. Any gentleman who remembered what he had said, in 1821 and 1822, on this subject, must know that the vacancy was regarded as one never to be filled up. The information he asked might be furnished on Friday. The delay in granting the supplies would be only eight and forty hours. If the gentlemen on his side of the House intended to give up the subject in the way proposed, they might as well walk away from the House, and leave ministers to dispose as they would of the public money.

Sir *R. Fergusson* expressed his esteem for lord Beresford's character, and his sense of his public services; but he felt that, on this occasion, private friendship ought to give way. He would therefore support the motion.

Mr. *G. Bennet* supported the motion. He thought his hon. friend was perfectly right in availing himself of every constitutional opportunity of pursuing his useful career. He wished the question to be fairly put, that it might be seen whether the House would support it or not.

Mr. *Hutchinson*, in rising to support the motion, would neither be understood to undervalue the merit of lord Beresford, nor to withhold from the government those supplies, which, at the present momentous crisis, were necessary for the dignity of the country. The motion was merely one for information; and he would not have it go abroad, that, at such a juncture, the House had neglected to support an inquiry, the object of which was to lessen the public burdens.

Mr. *Abercromby* had always been taught to consider, that it was one of their most valuable privileges to be able to stop the supplies. He therefore thought they ought not to call it into action, but upon the most important occasions. His hon. friend's motion stood upon strong grounds. He would suggest to him the propriety of disconnecting it from the question of supply, and of letting it stand upon its intrinsic merits.

Sir *F. Burdett* said:—I fully agree with what has fallen from my hon. friend who has just sat down. I think it quite clear that no beneficial results can arise, from a perseverance in the proposed amendment. I am prepared to support every proposition which has for its object an expedient reduction of the public expenditure; and I give to the hon. member for Aberdeen all the merit to which his resolute and unceasing attention to the public interest so justly entitle him. But, under the circumstances in which this country is placed with regard to foreign relations, I cannot accede to the amendment. What, Sir, shall I, with one voice, call upon the government to support the honour, and interest, and dignity of the realm, and with another, and at the interval of a few days, turn round upon that government and say—"I have called upon you to vindicate the national honour and dignity; but I at the same time withheld from you the means of supporting that honour or upholding that dignity. Sir, I cannot do this—I know it is the privilege of this House to stop the supply; but it is a privilege not to be used on ordinary occasions. The grievance which would call for such extraordinary interposition, must be not only acknowledged, but monstrous; and a sound discretion would not call for such a strong measure except under circumstances where any other redress was unavailable. I think that the hon. member for Aberdeen will best consult the success of the object he has in view, and the inclination of those who are usually inclined to support him, by not pressing a motion, from which no good can arise.

Mr. Hume consented to withdraw his amendment. After which, the House went into the committee.

HOUSE OF COMMONS.

Friday, February 14.

Agricultural Distress.]—The report of the Committee of Supply being brought up,

Sir *T. Lethbridge* said, that not finding any intimation from government of its intention to bring forward measures for the relief of the agricultural interest, he wished to put one or two questions to the ministers of the crown. He was much gratified to find the last paragraph in the royal Speech, characterizing the landed interest as the most important interest of the country; but he regretted that that sentiment was not followed up by a pledge, that government would meet the great question of agricultural depression in that manly way which its consequence demanded. He dreaded lest the landowners of England were to be left during another session in their present depressed —he had almost said degraded—situation. It was impossible for government not to be aware of their distress. The five hundred petitions could not possibly be forgotten, which had been laid last session upon the table of the House. With all his respect, and no man entertained more, for the high talents and character of ministers, he could not but take their forbearance to propose some measure upon the subject, as an omission of their duty. It should be recollected, that the landed interest had become depressed by no fault of their own; but by the impolitic conduct of the legislature. With produce brought from foreign countries, and sold in the English market, at a price with which the home grower could not compete—with the effect produced by the return of the country to a metallic currency—it was scarcely necessary to look farther into the main cause in which the distress originated. After commenting upon the unreasonableness of those arrangements which threw the tithes, the poor-rates, and the cost of criminal prosecutions, almost entirely upon the landed property, the hon. baronet concluded by asking, whether government had measures in contemplation for the relief of the agricultural interests?

Mr. Secretary *Canning* said:—It is quite impossible to find fault with the hon. baronet, and nobody can be less disposed to do so than myself, for having availed himself of the opportunity of bringing up the present report to express his regret and disappointment at not seeing introduced into his majesty's Speech from the throne any specific promise of relief for the agricultural interest. On the other hand, the hon. baronet does great injustice to his majesty's ministers, if he supposes that either on this, or on any former occasion, they have been deficient in a desire to give relief, if relief be practicable, by any of those direct measures which the hon. baronet deems to be beneficial; still less, if he supposes that they do not look with the most sincere sympathy to distresses, which have undoubtedly prevailed to a degree which every man who is interested for the welfare of the country must acknowledge and deplore. If it had been in the power of his majesty's ministers to afford relief, they would not have waited for the call of the hon. baronet. I regret, as much as the hon. baronet, that it was not possible to add to the concluding paragraph of the king's Speech a declaration of his majesty's ministers' intention to propose some specific measure of relief; but I am sure the hon. baronet will agree, that it would be most unfair and injudicious to purchase either his support, or a temporary popularity, by holding out expectations of relief, which, after the most anxious, laborious, and conscientious consideration, they could not themselves believe to be attainable. I can assure the House, that for the last four months during which I have had the honour to sit in his majesty's councils, and for many months preceding that period, the attention of the government in general, and especially of some individual members of it, has been anxiously directed to the consideration of this subject. I will go further, and own, that for a time I was sanguine enough to believe that some direct measure might be devised; and, if I at length yielded to the complete conviction, that the measure which was for a time in contemplation could produce no beneficial effect, it was an unwilling and reluctant conviction, but still it was sincere; and with that sincere conviction, it could have done no service to the country, or to the interest in question, but, on the contrary, must have been of the greatest disservice to both, to agitate any measure which could end only in disappointment, and which could have no other effect than that of exciting hopes which it would be impossible to realise. With that conviction—with the strong, though reluctant feeling which I entertain, of the necessity of arriving at such a conviction—I am compelled to say, that with regard to any direct measure for the immediate relief of the distresses of the agricultural interest, the government do not, under all the circumstances, profess to see their way. If there be shame in this avowal, it is shame which the government must share with two consecutive committees of this House, composed of men, the most capable, from their experience and practical knowledge, of devising remedial measures for the interest with which they were immediately connected. In addition to this, if the hon. baronet thinks he can submit any measure of his own to the consideration of the House, I can assure him that it will be received, on the part of the government, as I am satisfied it will be on the part of the House, with the most anxious and deliberate attention. Convinced, however, as the government is, that they can advise no measures for the immediate relief of the agriculture of the country, they would not discharge their duty, if they did not at once declare this their sincere, deliberate, and honest conviction. But, though no direct remedies be practicable, it does not follow that collateral remedies may not be applied. It is a disputed point in this House, whether the remission of taxation will afford direct relief, or whether its remedial effect on the agriculture of the country will only be collateral. Without entering into this question, I will only observe, that while there was a possibility of affording relief by this means, the government would not have done their duty, if they had not turned their attention to this point; and, I am not afraid to say, that the only measure directed to the relief of the agriculture of the country, which it is their intention to propose, will be comprised in the statement of my right hon. friend, the chancellor of the exchequer, on this day se'nnight, when he will submit a remission of direct taxation to the consideration of the House. I trust, that in any thing I have now said, I shall not incur the imputation directed by the hon. baronet against the government, of a want of feeling for that interest which the crown has justly pronounced to be the most important of all. But, if this interest be, as it undoubtedly is, the most important of all, because it is the basis upon which all others must stand, I trust I may venture to indulge the hope, that all those other interests cannot be materially and steadily advancing, without operating a gradual relief to that great interest which is the foundation of all; and that this relief, though it may not be so rapid and immediate as we could desire, will at least be steady and permanent in its operation.

Mr. *Curwen* said, he deeply lamented, that his majesty's ministers had come at last to this conclusion, that no relief but that of time could be afforded to the distresses of the agricultural interest. He did not hesitate to say, that the country was placed in a more perilous situation than any in which it had yet stood, by the declaration of the right hon. secretary; nor did he see any prospect of amelioration, except from a remission of the direct taxation, which immediately affected the agricultural interest. It was not sufficient to relieve the community in general, ministers must come directly to the point of relieving the burthens of the agricultural interest. It was far from his wish to break faith with the public creditor; but he thought the funded interest ought to be immediately charged with a fair proportion of the poor-rates. Indeed, the holders of funded property might thank the House for calling their attention to this subject—the immediate carrying of which into execution would avert a crisis which every man would dread, and which would fall heavier upon the fundholders themselves, than upon any of the other interests taken singly. The property belonging to the fundholders was more than that which belonged to the owners of lands and houses. He would, however, only say that they were equal, and that consequently 50 per cent of the burthens should be laid upon them. It would be better to do this at once, than to wait till the agricultural interest should be ruined. It would not be fair that one interest in the country should be absorbed, while another bore no part of the burthens. He would not wish to break faith with the fundholders, but the agricultural interest had a right to call for justice, considering the great distress which that interest was suffering —distress which, in his opinion, did not arise from over-production, but from diminished consumption, which would operate a deterioration in the quantity produced, till that would be insufficient for the demands of the country. He would admit that some benefit would arise from a diminution of taxation; but more would be effected by making the burthens fall equally upon all classes of the people.

Mr. *Robertson* was anxious, as he felt deeply interested in this question, to offer a few remarks for the consideration of the House. He wished to bring the question distinctly before them, and to state what were his views and intentions with respect to it. They had heard, from time to time, different reasons assigned for the prevailing distress. He, however, believed, that the system of credit which had been adopted in this country for many years, was one great cause of the evils the people were now labouring under. As this suggestion was new, he threw it out for the consideration of members, previously to the period when he might bring it more formally under their consideration. During the French and Spanish war, from 1740 to 1749, the government borrowed money at the rate of 3 and 4 per cent. Now, he would contend, that if their credit was as good at present as it was then, they should not have been borrowing money, during the late wars, at 7 or 8 per cent. He would explain. There was no money borrowed in the 3 per cents, during those recent wars, but at the average rate of 5 per cent for all sums paid into the exchequer; besides which, there was given to the loan contractors, a sum of 40*l.* in addition. For what reason was that sum given to them? Why should it be presented to them, when they did not advance one farthing for it? Now, it was quite evident to him, that it was this system of borrowing on ruinous terms, which had plunged the country into those difficulties of which all classes were complaining. They were now completely in the hands of a great monied body in that metropolis, who could, at their pleasure, keep the interest of money at as high a rate as they chose. [No; and hear, hear!] He contended, in answer to the gentleman who said "No," that they could do so, in a very great measure; else why could they not obtain money now upon as advantageous terms as had been done at the time to which he had alluded? That war had not ceased for one year, when the 3 per cent stock rose to 102; and now that stock had not exceeded 80 per cent. Was there any thing in the general concerns of the country which would lead to this result? Were the profits on capital employed in trade greater, or was the quantity of capital less? No man would say so. The fact was, that so abundant was capital, that the monied men were completely at a loss what to do with it; and therefore they were throwing it into the hands of every desperate government which might ask for it. The fact was, that during the war we had, though nominally borrowing money at 3 per cent, been actually paying 8 per cent for it. At the rate at which the stock was sold to the public, the interest was above five per cent, and the bonus to the contractors brought it to what he had stated. Now, in his opinion, it would have been better to have made all sums of money borrowed be received immediately into the exchequer, and all interest paid immediately out of it. Had this been done, it might have made the nominal interest a little higher during the war; but at present money could have been raised at perhaps two per cent for the purpose of paying it off, and thus relieving the country. Say that, at the present price of the 3 per cents, the interest was 3¾, and that the same could be raised at 2 or 2½, then there would be a saving to the amount of the difference in the whole annual charge on the debt. If the public could come immediately into the exchequer, and lend 100*l.* at 2½ per cent, then 100*l.* of 3 per cent stock could be purchased, and besides the securing of one-sixth in the interest, every 400*l.* borrowed would pay off 500*l.* This would be a greater relief to the country than any other measure which had been proposed. The only just system would be to bring all sums borrowed immediately into the exchequer. He had thrown out these hints now, and he intended, in the course of the session, to bring forward a motion for the reduction of the interest of the national debt.

The report was then brought up, and agreed to.

HOUSE OF LORDS.

Monday, February 17.

Marriage Act.]—Several petitions were presented, complaining of the clause in the new Marriage act, which took away from peculiars the privilege of granting marriage licences.

Lord *Ellenborough* observed, that with regard to this point, no information had been given to the House either by learned lords, or by the right rev. bench, and thus the House had been induced to agree to a clause in the act of last session, taking away from peculiars the right of granting marriage licences without being aware of the extent of the inconvenience thus created, or the vested rights with which they had thus interfered.

Lord *Redesdale* said, he took the blame of the clause to himself. The fact was, that he was not aware of the number of peculiars having the right of granting licences, nor was it, he believed, at all known in the House.

Lord *Stowell* observed, that though immediately connected with the administration of justice in the ecclesiastical courts, he was not at all aware of the number of peculiars having the right of granting licences, nor was it known to the right rev. bench, it not coming at all under their cognizance.

Lord *Ellenborough* hoped there would be no objection to restoring the rights of these peculiars, founded as they were upon immemorial usage.

Lord *Stowell* said, he had no objection to a clause of that nature.

The Earl of *Liverpool* said, he would not pledge himself upon this question, without knowing more of the nature of these peculiars.

Lord *Redesdale* was of opinion, that none of the rights of these peculiars could be of older date than the Reformation, and it was doubtful whether some of them would bear the test of inquiry, or whether the exercise of them had not been assumed in consequence of grants of property to ecclesiastical corporations or individuals.

The *Lord Chancellor* was apprehensive, that in some of those jurisdictions called peculiars, licences had been granted, which were not legal, before the parties were aware of the operation of the act of last session; and though he had felt it a painful duty to oppose the retrospective clauses in the act of last session, he should be perfectly ready to agree to a retrospective clause, for the purpose of giving a legal effect to the licences so illegally granted, in order to prevent the unhappy consequences that might otherwise arise, with regard to the marriages solemnized by virtue of such licences.

Lord *Stowell*, with the view of framing a measure that should be generally and clearly understood, moved the appointment of a committee, to consider the present state of the law regarding marriages, and whether any and what amendment ought to be made therein.

The motion was agreed to, and a committee appointed.

Austrian Loan.]—Several petitions were presented, complaining of Agricultural Distress.

The Marquis of *Lansdown* said, he thought it a fit opportunity, when petitions were presented, complaining of distress which unfortunately was but too well known to exist, to ask a question of the noble earl opposite, regarding a large sum of money which had, for a considerable period, been due to this country. There was but too much reason to complain of the sums which had been lavishly wasted during the progress of the war, and in particular of one large advance to a continental power, which ought to have been long since repaid. He alluded to what had been called the Austrian Loan. It had been understood last session, that a negociation was to take place respecting this loan, at the congress of Verona. Now, as that congress had been for some time broken up and dissolved, he wished to know from the noble earl whether an arrangement had been agreed upon, which held out any hope of the repayment of the loan.

The Earl of *Liverpool* said, that the Austrian loan being merely a transaction between the government of this country and that of Austria, could not become a subject of discussion, either at the congress of Vienna or of Verona. It was true, however, that a noble friend of his had intimated in the last session, that a negociation was in progress with the court of Vienna upon this subject; and he had no hesitation in saying, that the principle of an arrangement for the repayment of the loan had been agreed to by the Austrian government. He trusted he should soon be enabled to announce, that the arrangement had been concluded.

HOUSE OF COMMONS.

Monday, February 17.

REFORM OF PARLIAMENT—LONDON PETITION.]—The Sheriffs of London presented at the bar the petition of the corporation for a Reform of Parliament.

Mr. Alderman *Wood* said, that the petition was well deserving of attention. He was sorry not to see any of his majesty's ministers in the House, as he was desirous of hearing what support the petition was to receive from them, and what answer they could make to its statements. The petition complained of their conduct as the cause of much suffering. It set forth, that almost all of which it complained arose from the line of conduct pursued by ministers, and from the want of a proper representative system. It was not too much for him to say, that it emanated from as respectable a set of men as any in England. The members of the corporation amounted to 262; and they had all, with the exception of about 12, agreed to this petition. Many of them had been annually returned for fifty consecutive years; and whatever gentlemen might think of the city parliament, the elections were made in the different wards without riot and confusion. He would not then make all the use he might of this fact, in support of the principle of annual elections; but he would say, that when men were annually re-elected to offices of trust by those to whom they were well known, and among whom they constantly resided, it was as strong a proof as could be given that they were very respectable. Their petition expressed sympathy with the distresses of the agriculturists; but the distress of which the petition complained, was not confined to them: it was also true of all the traders in London; profits were now so much reduced, that it was scarcely possible to bear up against the heavy taxation. The petition referred all the evils of the country to a want of a proper representation in parliament; and it prayed for economy in the public expenditure.

The petition being read,

Mr. Alderman *Wood* apologised for again troubling the House; but he now saw some of his majesty's ministers in their places, and should be glad to hear them express their opinions on the petition.

Mr. Secretary *Canning* disclaimed any intention of not doing full honour to the worthy alderman and to the city; but he could not conceive any necessity for him to listen to the petition, as he had read it in all the newspapers some months ago.

Mr. *Creevey* thought, that one of the most important features in the petition was the statement applying to the population of England. It appeared, that between the year 1700 and the present time, our population had increased from five to twelve millions; and yet, during this increase of the population, the industry, and the wealth of the country, the elective franchise (as regarded the number of persons enjoying it) had been stationary, if not abating. For instance, 1,900 men in the county of Cornwall elected more members among them than were elected by one half the other counties in England; and this while new towns of immense consideration had sprung up, which were kept without any elective franchise at all. If these new towns, with populations of three or four hundred thousands—towns which contributed largely to the income, to the power, to the security of the state—if the inhabitants of these towns were totally shut out from the elective franchise, while 1,900 (he believed he might say) of the most worthless individuals in the country enjoyed an enormous monopoly of it, surely all this called for something like revision. That part of the petition which complained of the distribution of the elective franchise might have gone on to show the manner in which those privileges had been conferred. It was nonsense to talk of the immunities of these boroughs standing upon rights ancient and immutable—upon grants coeval with the existence of parliaments. This was all fable. In one period of 115 years, from Henry 8th to James 1st, no fewer than 190 members had been added to the House of Commons. Surely there was nothing sacred in privileges so given. In the reign of Elizabeth such great delicacy had not been observed, for a committee of the House had been appointed expressly to inquire, why certain members returned for a borough had been so returned. Why, six or seven boroughs in this very county of Cornwall owed their elective privilege to Edward 6th, who had begun to reign at nine years old, and died at fifteen. Surely the House which he was addressing was as well able to dispose of the elective franchise as Edward 6th could have been. He was decidedly of opinion, that, before the House discussed the question of reform, it ought to have upon the table an account, from the returning officers, of all the boroughs in England, containing the date of each borough's charter, the number of its electors, and the circumstances under which it first received the right of sending members to parliament. A committee appointed for the purpose would have no difficulty in obtaining such a return; and he believed that a noble friend of his would move for it.

Mr. *T. Wilson* said, he would be in his place at every discussion of reform, and would give his opinion to the best of his ability.

Lord *John Russell* said, he saw so little objection to the proposal of Mr. Creevey, that he would move for the committee in qustion to-morrow. It gave him infinite satisfaction to see the growing interest which all classes were taking in the question of reform.

Committee of Supply.]—The order of the day was read, for going into a Committee of Supply. On the motion, "That Mr. Speaker do now leave the Chair,"

Mr. *Creevey* rose to express his surprise at the mode in which ministers now-a-days called upon the House for supplies. He believed there was scarcely a difference of opinion upon the state of the country; scarcely a denial that persons were every day falling from respectability, nay, from opulence, into absolute beggary; and yet the officers of the crown came forward for supplies as a matter of course. He must really trespass shortly upon the time of the House, to compare the course which had been usual in days gone by—in days, however, when the royal prerogative had been by no means so well defined as at present, and when the burdens borne by the people had been considerably lighter;—he must compare the course adopted in those times with that taken in our days by the ministers of the crown. In the reign of queen Elizabeth, when sir E. Coke was speaker of the House, and when such men as lord Bacon and sir Walter Raleigh took part in the debates; in that day, sir Walter Mildmay, chancellor of the exchequer, on asking the House for a supply, expressed himself in the following terms:—"But, least that peradventure some may judge that the contribution granted by us now five years past, both frankly and dutifully, might suffice for many years without any new, I dare assure you, for the acquaintance that I have (though I be unworthy) with those her majesty's affairs, that the same hath not been sufficient to answer the extraordinary charges, happened since then, especially those of Ireland, by the one-half; but her majesty hath supplied the rest out of her own revenues, sparing from herself to serve the necessity of the realm, and shunning thereby loans upon interest, as a most pestilential canker, that is able to devour even the states of princes." The generosity of the queen in that instance was not less than the wisdom of the minister. But now, although we had a pestilential canker of eight hundred millions devouring us, ministers came down for money as though nothing were the matter. But, to give the House a second instance of the state in which such matters were formerly conducted, in the 38th of Elizabeth, upon a question of money, sir Robert Cecil brought forward the motion for supply; and sir John Fortescue, chanceller of the exchequer, in supporting the motion, after stating all the queen had done at home and abroad in defending her neighbours and her kingdom against the power of Spain, said—"Besides, when her majesty came to the crown, she found it four millions indebted; her navy, when she came to view it, she found greatly decayed; yet all this she has discharged, and, thanks to God, is nothing indebted: and now she is able to match any prince in Europe, which the Spaniards found when they came to invade us. Yea, she hath with her ships compassed the whole world, whereby this land is made famous throughout all places. As for her own private expenses, they have been little in building; she hath consumed little or nothing in her pleasures; as for her apparel, it is royal and princely, beseeming her calling, but not sumptuous nor excessive; the charges of he house small; yea, never less in any king's time, and shortly, by God's grace, she will free her subjects from that trouble which hath come by the means of purveyors. Wherefore she trusteth that every good subject will assist her majesty with his purse, seeing it concerns his own good and the preservation of his estate, and for these subsidies which are granted, now they are less by half than they were in Henry 8th's time."—Now, all this took place just after the defeat of the Spanish Armada, and at a time, therefore, when the people would probably have granted the queen any thing she could have asked. Why, when the ministers of the present day came to ask for supply, did they not come in the same tone, and with something like the same assurances; with statements of economy carried into practice, and promises of the abolition of grievances? When the agriculturists were involved in ruin—when they were suffering from the change in the state of the currency,—would it not be reasonable that at least every official salary which had been raised during the depreciation should be reduced to its original level? Was the landed interest, in addition to its other miseries, resulting from the sudden and unjustifiable recourse which was had to a metallic currency, to bear also the burden of salaries which had been increased on account of the former depreciation of that currency? Ought they not to be reduced, now that the currency had so far increased in value? This applied to persons of all descriptions who held places, from the highest to the lowest. These sinecures had been tolerated long enough. It was the duty of ministers to abolish them forthwith; and this they ought especially to have done, before they came to ask the House to vote fresh supplies. If the ministers of Elizabeth thought it their duty to preface their motion for supplies, with a communication that the grievance of purveyances had been abated, so much the more were we now entitled to relief, from the no less burdensome grievance of sinecures—that immense load, which, for the enjoyment of the privileged orders, was laid upon the other members of the community. It would have been far more consistent with their duty, if ministers had recommended the crown to sacrifice a part of its revenue to the wants of the people. No man living could tell what might be the result of the country's situation. No man could say whether the present distresses might not end in a conflict for the possession of property. Let any one look at the temper displayed at the county meetings which were daily taking place: let them look at the heart-burnings which existed between persons having opposite interests, and different descriptions of property. He knew of only one thing which could prevent a fatal termination to this state of things, and that was economy—strict and universal economy. If the crown would give up part of the civil list, he had no doubt that so noble an example would be followed by the most beneficial consequences. He was naturally led to ask the reason of the difference between the mode of granting supplies now, and at the period to which he had alluded. In the time of Elizabeth, the supplies had been considered as sacrifices on the part of the subject, which were to be appropriated to public purposes. The members, and those whom they represented, had one common object. The House of Commons had not then invented or discovered the means of applying the supplies to their own private benefit and emolument. A perfect revolution had been effected in this respect in the House and in the country. Eight hundred millions of debt, conquests in every quarter of the globe, with corresponding establishments, had placed the administration of the country in such a condition as could not have been imagined in the time of queen Elizabeth. The ministers of the crown had introduced the patronage derived from all these sources into the House of Commons. He did not state this invidiously; but it was the fact. It was known that ministers possessed the power of giving away all offices, and members very naturally thought their sons, their relations, or their friends, were as fit to fill them as other persons. This it was that had created a revolution in the character of the House; and this he maintained to be the true solution of the difference between the manner of asking supplies now, and then. To ask for them now, was only to ask members to help themselves, and to supply their families and friends. It was known to every one, that in the report of the committee relative to the offices of receivers-general, it appeared that two or three members had been scrambling for the same place. In the time even of Edward 1st, and in various subsequent reigns, there was a constant clause in all subsidy bills, that no member of the House of Commons should be a collector, whereas now, as had been just observed, we had it in proof, that the collection of the land-tax had become the regular patronage and property of this House. The constitution was now no longer composed of that equal and wholesome division of power between the King, the Lords, and the Commons; but between the minister of the crown and this House, one of whom held the power, and the other the patronage of the state. Much was said of the splendor of the crown; but if it were to be compared with that which was displayed by queen Elizabeth, it would be seen that it was now reduced to a mere raree show. We heard of the king being ill or well, and of his making occasional excursions; but we had no satisfactory, no intimate knowledge of him. He was, in fact, a mere splendid annuitant upon his ministers; but, as for the sympathy between the court and the people, which had distinguished the era to which he had so often been compelled to refer, there was not a vestige of it left. Not only had this revolution taken place; but officers of state had been introduced, whose names had never been heard of before. The manager of the House of Commons was now talked of as familiarly as the first lord of the Admiralty: he was a recognized officer, and such a one as never could have arisen but from the cause he had stated. He would beg permission to quote to the House a speech of lord Bacon, on this subject, who, in that very place, had treated as a chimera the attempt to manage the House of Commons. It was delivered in the first year of the reign of James 1st, who, when he came to the throne, was much more anxious to obtain money than the House was willing to grant it to him. It was rumoured, that certain officious members had undertaken to get for the king the supplies he wanted. The debate was conducted with considerable heat, and the matter treated as a violation of the duty of the House. Lord Bacon, who was then the attorney-general, and sitting in parliament, made the following speech:—

"Mr. Speaker;—I have been hitherto silent in this matter of undertaking, wherein the House is much enwrapped: first, because, to be plain with you, I did not well understand what it meant or what it was, and I do not love to offer at that that I do not thoroughly conceive—that private men should undertake for the Commons of England! Why, a man might as well undertake for the four elements. It is a thing so giddy and so vast, it cannot enter into the head of a sober man, and especially in a new parliament, when it was impossible to know who should be of the parliament; and when all men that know ever so little the constitution of this House, do know it to be so open to reason, as men do not know when they enter into these doors, what mind themselves will be of until they hear things argued and debated; much less can any man make a policy of assurance what ship shall come safe into the harbour in these seas. There were undertakers for the plantations of Derry and Coleraine, in Ireland, the better to command and bridle those parts; but for the ancient parliament of England, which moves in a certain manner and sphere, to be undertaken, it passes my reach to conceive what it should be. Must there be some forts built in this House that may command and contain the rest? Mr. Speaker, I know but two forts in this House, which the king ever hath—the fort of affection, and the fort of reason: the one commands the hearts, and the other commands the heads; and others I know none. Then for the king, nothing can be more opposite to his ends and hopes than this, for you have heard him profess like a king, and like a gracious king—that he doth not so much respect his present supply as the demonstration, that the people's hearts are more knit to him than before. Now, then, if the issue shall be this, that whatsoever shall be done for him, shall be thought to be done but by a number of persons that shall be laboured and packed, this will be rather a sign of diffidence and alienation, than of a natural benevolence and affection in his people at home; and rather matter of disreputation than of honour abroad. So that, to speak plainly, the king had better call for a new pair of cards than play upon these if they be packed; and then for the people, it is my manner ever to look as well beyond a parliament as upon a parliament; and if they abroad shall think themselves betrayed by those that are their deputies and attorneys here, it is true we may bind them and conclude them, but it will be with such murmur and insatisfaction as I would be loth to see. These things might be dissembled, and so things left to bleed inwardly; but that is not the way to cure them: and therefore I have searched the sore, in hope that you will endeavour the medicine."—Now, that which lord Bacon had discussed as a mere chimera, had actually come to pass. The cards were now packed; that House was packed. His hon. friend, the member for Shrewsbury, had shown, by the report from that committee, which had been instituted upon his motion, that there were 79 members of the House who held offices to the amount in value of 180,000*l.* per annum. These members might be called the court cards of the pack, and in all committees of supply there would be found the same cards. But these, numerous as they were, were inconsiderable, compared with those who were bound to ministers by benefits, received by different parts of their families. If a list could be shown of all the persons who had applied for a share of the advantages of this patronage, and added to the 79 other persons, it would be seen that the majority preponderated so far as to render it vain to expect any relief for the necessities of the country. This, then, was the manner in which supplies were now voted. He would do all that the forms in the House would allow him upon the present occasion; and he would propose, by way of amendment, "That it be an instruction to the committee, that they do consider of the grievances of the people." This had been done, over and over again; and the right of discussing grievances before supplies, had been always asserted in better times.

The Speaker having put the amendment, strangers were ordered to withdraw; when Mr. Creevey said, he should not give the House the trouble of dividing; but would content himself with recording his own sentiments upon the Journals, and letting his amendment be negatived.

Mr. *Canning* said, he did not propose to answer what had fallen from the hon. gentleman, because he believed no one who had heard his speech, could understand any practical benefit which he had proposed by it. He did not mean, if the amendment had not been withdrawn, to have opposed it; nor should he have added another word, but for the mention which had been made of one exalted personage, whose name he could not use consistently with the forms of parliament. That personage had been singularly, and he thought unconstitutionally, introduced into the speech just delivered. He should have thought, that, in common justice, the sacrifices which had been made by the crown for a series of years, and the disposition which had been unceasingly manifested for the reduction of every unnecessary expense, deserved from the hon. gentleman very different treatment.

Mr. *W. Lamb* expressed his surprise at the line of argument adopted by the hon. member for Appleby. It was most unsatisfactory and inconclusive to go back to the period when the privilege of purveyance existed—that privilege which gave to the agents of the monarch the right to seize, in every market or other place, provisions and other things necessary for the supply of the court; and which was, of all other branches of the prerogative, the most tyrannical and intolerable. Nothing could be more marked than the distinction between those times and our own. The Revolution had altered the situation in which the granting of supplies had previously been placed. Before that period, the crown had been possessed of large territories, from which it derived considerable revenues, and which could be made available in cases of emergency. The abolition of the feudal tenures had deprived it of this revenue, and had thrown it upon the liberality of parliament for the support of its honour and dignity. To hesitate to vote the supplies, would be to doubt the propriety of giving effect to the operations of the government.

Mr. *Hume* said, that the state of the crown lands was one of those subjects which called for the attention of the House, and which ought to be looked to before the supplies were granted. They had been given up by the crown; and, by an act of the first of queen Anne, they had been placed apart, for the express purpose of relievin the burdens of the people. He did not complain of this change, which was really excellent; but he complained that, instead of producing between 40 and 50,000*l.* per annum, they were swallowed by pensions. The evil, however, did not exist in one department alone. He hoped some of the members of the Irish committee were present. By a paper then before the House, it was pointed out, that in the customs of the port of Dublin, the collection cost 84,000*l.* Mr. Richmond, judging what the expense of the collection ought to be, by that which was incurred in London, had recommended it to be reduced 42,000*l.*, and that of the out-ports 35,000*l.*, making a reduction of 77,000*l.* That report had remained a dead letter; and when he had submitted certain propositions to the House on the subject, they had been negatived by a large majority. He held in his hand a practical proof how far ministers were inclined to continue an overgrown establishment. A committee, of which he had been a member, had unanimously recommended that 65 receivers-general should be reduced. To his surprise, a whole year had been suffered to elapse, without any practical benefit resulting from that recommendation. With respect to the sums paid to the distributors of stamps, the poundage amounted to 5 and 6 per cent, when it ought only to be at the rate of 2 per cent; and the public were made to pay 85,000*l.* when they ought only to pay 30,000*l.* He hoped his hon. friend would take the sense of the House upon his motion, in order to impress upon members the necessity of considering the grievances of the people, before they voted away the public money by millions.

The *Chancellor of the Exchequer* (Mr. Robinson) begged to remind the hon. gentleman, that the government had given its cordial assent to one of the measures of economy which had been recommended, and had carried it into effect by an act of parliament. As to the first topic, that of the crown lands, the hon. gentleman was entirely mistaken. The revenue arising from them was regularly carried to account. He was no holder of crown lands, but he knew many individuals who were; and he would venture to state, that of all the severe landlords in the country, the crown was the most so. It was provided by law, that they should be let to the highest bidder. The last holder of the lease had the option of taking a renewal at the rate fixed on by a sworn surveyor; but if he refused, it was let by auction. It was impossible to make a lease of the crown lands a matter of favour in any instance. They certainly did not bring in so large a revenue as 40,000*l.*, although he knew that in one of the reports, a hope had been held out that they might ultimately amount to that sum. But the hon. gentleman appeared to forget that a large portion of them consisted of forest land; and it had been recommended by a committee of the House, that the crown lands should be employed in the growth of timber for the use of the navy. The amount of the revenue of the crown lands had, during the last five or six years, been small; but this circumstance was capable of satisfactory explanation. A few years ago it had been thought advisable to appropriate the proceeds of the crown lands to building the new street in the neighbourhood of Piccadilly. The produce of fines and leases had been appropriated to the purchase of the sites of houses in the line of this street. The hon. gentleman might think this an improper mode of applying the money; but it was sanctioned by parliament, and no individual received the smallest advantage from it.

The motion was negatived, and the House resolved itself into the committee of supply.

HOUSE OF COMMONS.

Tuesday, February 18.

Bank Balances.]—Mr. *Grenfell*, in moving for a return of the Balances of the public money in the hands of the Bank of England, observed, that in 1815, when he first brought this subject under the consideration of the House, the deposits lodged with the Bank amounted to no less a sum than eleven or twelve millions. The loss to the public from this source was estimated by the committee on the public expenditure, at more than 500,000*l.* per annum. The services performed by the Bank were merely those discharged in an ordinary banking transaction. The amount of the deposits had been reduced to about 4,000,000*l.*; but there was still no necessity for leaving so large a sum as this wholly unproductive in the hands of the Bank. Nothing, in fact, would be more easy than to make such an arrangement as would give the public a participation in the profits arising from these balances; and, if the present chancellor of the exchequer would grant to him, what he could never obtain from the last, a committee to examine into this subject, he pledged himself, not only to prove the insignificant nature of the services performed by the Bank, but to suggest a plan to the House, which would give the public a fair participation in that profit. The whole services which the Bank performed to the public were the transfers and the payments of the dividends. He found no fault with the mode in which this was managed; but, good as it was, it was overpaid. The payment of 270,000*l.* a year, which the Bank received for the performance of this service, was surely too much. He had no hesitation in saying, that it might be done for 70,000*l.*, and thus a saving of 200,000*l.* a year to the public would be effected. He had no wish to provoke unpleasant discussion; but he had some hopes from the new chancellor of the exchequer, to whose attention he would earnestly recommend the subject.

The *Chancellor of the Exchequer* said, that as he had no objection to the production of the papers, he should decline entering at present into the subject. He stood in need of all the information which could be afforded him; and he felt that none could be more valuable than that of the hon. gentleman. When the papers should have been produced, if the hon. gentleman thought proper to submit a motion on the subject to the House, it would be his duty to state the conduct he proposed to pursue.

Mr. *Baring* expressed his surprise, that his hon. friend had again made that statement to the House which had been so often refuted. The subject of the balances in the hands of the Bank was one of which he had not lost sight for many years. He had stated, that these balances had formerly amounted to 11,000,000*l.*, but were now reduced to 4,000,000*l.* or 5,000,000*l.*, and had contended, that the public was entitled to share the advantages arising from the possession of these balances. To that argument had frequently been opposed the statement, that the Bank held the balances by virtue of their parliamentary charter. When the renewal of that charter had been negotiated, Mr. Pitt expressly enumerated, among the advantages which the Bank were to enjoy, and for which they then made the government a remuneration, that of holding the public balances, which were then estimated at about five millions. His hon. friend stated, that they now only amounted to between four and five millions, and yet he came there every year to state that something was due on this account to the public; when, in point of fact, the advantage had been estimated and paid for by the Bank on the renewal of their charter. Since that period they had advanced sums of money to the government at small interest, and others without any interest at all. Whether too much was paid for the management of the public debt or not, was an entirely distinct question.

Mr. *Manning* said, that the deposits of the balances of public money were necessarily made with the Bank, because the government could not safely intrust them to any private hands. When the accounts should be produced, he would show, and he hoped satisfactorily, that the Bank was justified, by their charter, in all they had done.

Mr. *Ricardo* said, it was true the Bank had made a compensation for the grant of the charter; but it was not sufficiently great for the advantages they had so long possessed. If, during his continuance in office, the Bank of England should apply for a renewal of the charter, he hoped the chancellor of the exchequer would be particularly careful that they did not overreach him. Before any such bargain should be made, it would be the duty of the right hon. gentleman to consult the House as to the terms of it. If it should be open to public competition, much more would be given for it than had ever yet been offered. From the advantages which the Bank had derived, it was impossible not to see, that the terms had been very much in their favour.

Mr. *Grenfell*, in reply, said, that the warmth with which his hon. friend (Mr. Baring) defended the proceedings of the Bank was not at all surprising, when it was recollected, that he was a director during the period of the transactions of which he had so often complained. He was a party to all that had been done, whether it were good or ill. His hon. friend went back to the charter, and the terms upon which it had been made with Mr. Pitt, and concluded, therefore, that the question of balances was closed. But, did he recollect that, eight years before that period, the Bank had agreed to give up three millions without any interest whatever? Did he recollect that Mr. Vansittart, after having always denied the principle for which he (Mr. G.) contended, agreed to it at length, and brought in a bill, by which he took away six millions more from those balances? Did any body believe that the Bank would give up nine millions, out of their spontaneous liberality? It was said that the charge for management amounted only to 7*d*. or 8*d*. per hundred pounds. But, however small this might appear in itself, when the amount of the public debt was regarded, it was much too large. The question was not whether 7*d*. or 8*d*. was small, but whether 270,000*l*. was not a sum totally inadequate to the service performed. He was confident that if justice were done to the public, a saving of 200,000*l*. per annum might be effected—100,000*l*. by a proper application of the balances in the Bank, and 100,000*l*. by a reduction of the expenses in the management, without any injury to the establishment. He was firmly convinced, that the subject ought to be referred to a select committee.

Mr. *Maberly* wished the Bank to have a good bargain, and thought they should be liberally treated; but he thought also, that it was the duty of the chancellor of the exchequer to ascertain whether the act relative to the rate to be paid for management was conclusive, upon which he understood the highest legal opinions were divided. He had no doubt that 100,000*l*. might be saved without interfering with the fair remuneration to the Bank; but the reference to a committee would set that matter at rest. He trusted that no new charter would be granted, without due deliberation as to its terms.

Mr. *Hume* would take that opportunity of throwing out a suggestion, that it was probable the Bank charter might never be renewed. A million and a half might be saved by the establishment of a national bank. He knew some notions had got abroad respecting the danger of such an establishment; but when it was recollected that they had an annual payment of 60,000,000*l*., he was confident ministers would see the advantage of a national bank, by which, in issuing 30 or 40 millions of their own paper, they could effect an annual saving of a million and a half. He hoped the present chancellor of the exchequer would be in office when the charter should expire; and that he would avail himself of the opportunity of adding so much to the ways and means of the country.

Mr. *J. Martin* wished to know, whether it was intended to lay before the House an account of the unclaimed dividends. No such return had been made for the last eight years.

The *Chancellor of the Exchequer* could not give at that moment a positive answer to the question of the hon. member.

Mr. *J. Martin* intimated his intention to make a motion on the subject.

Mr. *Manning* said, that the subject had been under the consideration of the bank directors, and that an order had been issued to prepare such account.

Mr. *Grenfell* said, it had been observed, that a difference of opinion existed between legal authorities, as to the liability of the Bank to have the charge for the management of the public debt re-examined and altered. He very well knew, that an opinion had been given on this subject. Sir Samuel Shepherd, when attorney-general, and the present attorney-general, at that period solicitor-general, gave it as their opinion, on the case which had been laid before them, that the system could not be interfered with. But the opinion of no legal man was infallible; and the view which a lawyer took of any question must depend on the way in which the case was put. When he saw that case and opinion, it struck him that the question was not stated in the way in which it ought to have been; and he thought that if it had been drawn up properly, the legal opinion would have been, that the act of 1808, did not close the question; but that the subject was open to revision.

Mr. *Manning* said, it ought to be stated, that that case was not drawn up by the Bank, nor submitted to counsel, with the privity of the Bank. It was the work of other parties; they were not responsible for it. After the opinion given, gentlemen must feel considerable doubts whether any alteration could take place in the charge for managing the public debt.

The several motions were agreed to.

HOUSE OF COMMONS.

Wednesday, February 19.

Lieutenant-General of the Ordnance.]—Mr. *Hume*, in rising to submit the question he was about to propose to the House, trusted he should have credit for having given the subject much consideration; and he assured the House it was one well worthy its attention. By an act of the 45th year of the late king, a committee had been appointed to inquire into the public expenditure and business of the various military departments, and to report thereon from time to time. It was important for the House to know the object the committee had in view, and the time they had occupied in accomplishing it. The number of reports they had made, amounted to nineteen. The committee was composed of military officers, whose experience qualified them peculiarly for the discharge of the duty intrusted to them. Perhaps every member of the House was not aware that the board of ordnance, as it now existed, had been formed in the reign of Charles 2nd. The important light in which the subject had been viewed by the committee might be gathered from their having made seven remarkably long reports upon this particular branch of their inquiry; he meant those from the 12th to the 18th inclusive. The first was directed particularly to the Treasury department, in which a system of the most disgraceful mismanagement had prevailed; but as this had now been put an end to, it was not necessary any further to allude to it. He should refer more particularly to the 13th report of the committee, which had been published in 1811. The commissioners found it necessary to apologize for the time which they had taken up, in considering and digesting the information they had procured. They had endeavoured to follow with minuteness every branch of the department, that all abuses might be detected. They proceeded to state, that they found the board consisted of the master-general, the lieutenant-general, and four other officers; viz. the surveyor-general, the clerk of the ordnance, the principal store-keeper, and the clerk of the deliveries. The attention of the committee was next called to the duties as well as the salaries of these officers. They found the latter very considerably increased. That of the master-general had been raised from 1,500*l.* per ann., the amount in 1796, to 3,235*l.*; that of the lieut.-general from 1,100*l.* to 1,591*l.*; that of the surveyor-general from 800*l.* to 1,261*l.*; that of the clerk of the ordnance from 600*l.* to 1,140*l.*; but this included a commutation for fees, to which he had previously been entitled; the other officers had also taken commutations, and their salaries had been proportionably raised. The committee, in the next place, examined the different individuals as to the nature of the business carried on by each of them. They found that the four last-mentioned officers had performed certain duties at the time of their appointment, but that they had ceased to do so for several years; and it therefore became a question how far it was expedient they should be continued. They showed satisfactorily that the surveyor-general no longer examined the stores; that the office of the store-keeper had become a sinecure; and that the reasons which existed at the establishment of the board for the clerk of the deliveries, or one of his sworn clerks, being present, did not now prevail. They therefore saw no reason why those offices should not be discontinued, and recommended that a board of four members should be appointed to carry on the duty of the department, and to manage its general concerns, alotting the various branches of it as they should see fit.—Before he alluded further to the examination, he would state to the House the nature of the original warrant for the establishment. It appeared by that, to be the duty of the lieutenant-general, in the absence of the master-general, to receive all letters, and issue all warrants, and to keep a minute-book of all such warrants. It appeared also, that the master-general and the lieutenant-general were intrusted with the conduct of the department, and that the four other officers were to act under them; and not to be co-equal in power, as they had now become. The committee then pursued their inquiry as to the peculiar duties of the lieutenant-general. Upon this subject they examined Mr. Crewe, and from his evidence it seemed that the lieutenant-general performed no duties distinct from those of a member of the board, except in the absence of the master-general, or in case of a vacancy in that office. Upon this subject they examined also lord Chatham and lord Moira, both of whom had held the office of master-general. The first of those noblemen, when he had been asked as to the utility of the duties of lieut.-general, had requested to postpone his answer, and had, in fact, not given it until the end of his examination. The earl of Chatham said, he did not see how the question could be properly answered. It was difficult to consider the doubt which this question was meant to imply; more especially when the high and respectable names which had filled the office were recollected, and when reference was made to the orders and instructions which had been given, from the formation of the board to the present time, for the conduct of the lieutenant-general. Mr. Hume proceeded to say, he could find none of the orders and instructions to which the noble lord had alluded, excepting those contained in the commissions to hold the office, and these he was bound to understand him to mean. It was for the House, however, to consider how far they would think such reasoning conclusive on the question of keeping up such an office. Lord Chatham stated, besides, that the lieutenant-general had several important duties to perform, particularly that of presiding at the board, where his military experience was extremely useful. This, he would only observe, was in contradiction to the evidence of Mr. Crewe. The same question as to the utility of this office of lieutenant-general had been put to lord Moira. He had replied, that he apprehended that the office was created in contemplation of the master-general being sent abroad with the command of an army; in which case, the lieutenant-general would have to discharge his functions. In case of the illness of the master-general, he would become colonel in chief of the artillery: beyond these, he had no other duty to perform than that of being a member of the board. Here the evidence on this point closed.—He would next consider how the committee had received this evidence. They said, that it appears the lieutenant-general has now no duties to perform excepting in the absence of the master-general, and that his clerks also have no duties even in that event: for it appeared that when the master-general had been absent at Walcheren, the duties of the office had been carried on by his clerks: the committee therefore very reasonably inferred, that the lieutenant-general's clerks were useless, and ought to be abolished. It was not likely that any occasion for their services should so frequently occur, as would justify the charge of 700*l.* per annum, the expense at which this part of the establishment was kept up. In a late instance where the master-general had been absent, and the lieutenant-general died during his absence, the business had been found to go on just as well when performed by the clerks of he master-general. Having given the ullest consideration to the subject, the committee were of opinion, that the office of lieutenant-general was not essential to the department, particularly if the attention of the master-general was not withdrawn by his holding other offices. As the four inferior officers did not perform the duties originally allotted to them, they also might be discontinued. The committee proposed, that a general commission should be constituted, to be called the commission of the board of ordnance; that the powers of the board should be the same as they were at present, and that the signature of each should be of equal effect. The committee had, in the course of their inquiry, asked lord Moira whether he thought the members of this board ought to be removable with a change in the administration; and he said in answer, that he thought a proportion should be fixed; that one of them should have a seat in the House of Commons, for the purpose of answering questions relative to the affairs of the department, and to bring forward any subject that might concern it. The committee thought that not more than two at the utmost should have seats in parliament, and that the others should devote themselves entirely to the duties of their office. Now, we had three or even four of these officers in the House, contrary to the recommendation of the committee, and more than two to one against the opinion of lord Moira. This did not include the treasurer of the department, who formed no part of the board. It was a distinct question whether he ought to sit there or not, though he thought that, consistently with the rules of other departments, he ought not. It was a reasonable ground of complaint, that neither this, nor scarcely any other of the recommendations of the committee, had been attended to. The question now for the consideration of the House was whether, in the present situation of the country, and in time of peace, it was necessary that five officers should be continued in this small department, when four were found to be sufficient for the management of all the concerns of the British navy? Was it consistent with the professions of economy and the recommendations of the committee, to keep up this establishment? He was anxious to hear from ministers, why the navy was unworthy of as great a number of officers as the ordnance? This he deemed to be unanswerable. He knew he should be told, that the business of the barrack department had been added: but he would reply, that it had formerly belonged to it, that it had been unjustly taken away, and that with the servants belonging to the department this additional business could not be felt. Let the commissariat department be added to the whole of the duties of the ordnance, and still it bore no comparison to the navy. If the House had been right last year with respect to the latter establishment, they could not refuse now to support his motion, and to declare that five officers were unnecessary for the ordnance department. The expenses had formerly amounted to 3,500*l.*: now they were 6,561*l.* per annum, exclusive of the salary of the master-general. Those of the navy were only 4,000*l.*; and, if he stood upon this point alone, he was in a situation to claim their support. It was an insult to the great naval establishment, that its remuneration should be less than that of so inferior an office. After a vacancy of three or four months in the office of lieutenant-general, after his majesty's answer to the Address of the House, that he would reduce every unnecessary establishment, which pledge had been repeated in the Speech from the throne, the recent appointment which had been made four and twenty hours before the meeting of the House was an insult to the people. The House was ready to grant all that might be necessary for the security of the country, but they ought not to be called on for one shilling beyond this. The ordnance department was one of the most wasteful under government, those of Ireland only excepted. The salary of the private secretary to the master-general was much larger than the duties of the office authorized. Mr. Crewe received for this 1,500*l.* per annum. The House in which he lived had cost 15,000*l.* building, and thus the country paid a rent of 1,200*l.* a year for him. He did not wish to undervalue that gentleman, whom he understood to be an able servant of the public; nor did he blame him for taking as large a salary as was offered for his services, but he did blame those who gave it to him. Colonel Chapman, who had previously held the office, retired on a pension of 400*l.* a year to make room for this gentleman, who received a salary of 1,500*l.* per annum: so that this private secretaryship cost the country 1,900*l.* yearly. Here was an opportunity for retrenchment, if gentlemen were really disposed to adopt economical measures. The office of secretary evidently could not be of great importance, because the individual who held it was frequently absent. For what, then, should they pay him 1,500*l.* a year? Yet, expensive as he was to the public, it appeared that his services at home could very well be dispensed with, since he was now at Madrid. He might be a very proper person to be sent there; but he would ask, was it proper that an individual, who was paid 1,500*l.* a year for doing one duty, should be employed in the performance of another, wholly different in its nature? There were formerly two secretaries attached to the master-general; but, in consequence of the recommendation of the commissioners, one of them was dispensed with. The salary was 300*l.* a year. When the office was suppressed, the public had a right to benefit to that amount: but government divided the 300*l.* amongst the clerks, and the public gained nothing by the alteration. It appeared quite plain, that no department in the state required more looking after than the ordnance; and therefore he trusted the House would institute some inquiry into it. He had shown what was the expense of the Tower and the Pall-Mall establishment in 1796. At that period—a period of war—the charge was 18,726*l.* What was the return for 1822, the sixth year of peace? It was no less than 63,273*l.*, being an increase of 47,000*l.* in the period between 1796 and the present day. The finance committee had alluded to the allowances and gratuities which were granted in this department, and had expressed their disapprobation of them. One would, therefore, expect to see a reduction, not an increase, under that head. But he found that, in 1814, the gratuities were only 9,000*l.*, whereas, in the last year, they amounted to 30,000*l.* The commissioners of military inquiry, perceiving the immense increase of expense, recommended two most important regulations, neither of which had been attended to. They recommended having the four junior officers under one roof, instead of keeping one portion of them in Pall-Mall, and the remainder at the Tower, and paying them their travelling expenses when they proceeded from the one station to the other. The commissioners inquired whether the business could be performed with facility if the officers were all under one roof. They were informed by earl Moira that it could, and they recommended the alteration; but no such alteration had been made. By keeping those separate establishments, eight or ten clerks were constantly employed in corresponding with each other. There was no end to the expense in this department. It was impossible for any person to devise a more effectual mode of squandering money than was adopted in the ordnance. In consequence of the store-keeper-general ceasing to perform the duties attached to his office, a number of store-keepers were appointed. Here a saving might have been effected, if the advice of earl Moira had been attended to. He objected to the stores being delivered at the Tower; and he pointed out various benefits which would arise from their being supplied at Woolwich. By adopting this measure, one delivery would be sufficient, and the services of certain officers, who were employed in consequence of there being more than one delivery, under the existing system, might be dispensed with. It was the opinion of lord Moira, that, with the exception of small arms alone, all ordnance stores should be delivered at Woolwich. If this recommendation had been acted upon, there would no longer be any excuse for not having all the business done under one roof. In that point, however, the recommendation of the commissioners remained a dead letter. He found that the increase of the ordnance establishment, in the period to which he had alluded, was full three-fourths. In 1792, the charge was 480,000*l.*; at present it amounted to 1,447,000*l.* Nothing had been done to reduce this enormous establishment sufficiently; and, notwithstanding all the professions of strict economy which the people had heard, they had a right to censure ministers for not having diminished this extravagant expenditure.—Another grievance to which the commissioners had adverted, was the number of houses which were attached to this department. Instead of gving individual store-keepers 40*l.* or 50*l.* a year, as rent for a house, they caused houses to be erected for them, which cost the public 3,000*l.* or 4,000*l.* There were not less than three or four hundred houses and apartments, in different quarters, belonging to the ordnance. It was his intention to bring this particular grievance distinctly before parliament. If all those useless houses were sold, and some new regulation adopted with respect to barracks, a very great saving would be effected. The ordnance department still went on building, notwithstanding the great number of houses they already had. Houses could only be wanted in places where individuals had duties to perform; but many instances could be adduced where houses were built, although no duty was to be done at the place in which they were erected. He stated this, to impress on the minds of gentlemen, that the recommendation of the commissioners were not attended to by his majesty's ministers. Why should five individuals be required to manage the affairs of the ordnance, when the House had decided that four were sufficient to conduct those of the navy? Why should those five persons cost the country 6,500*l.*, when the business of the admiralty was transacted for 4,000*l.*? The whole of this department ought to be new-modelled, and placed on a strictly economical basis; and for the purpose of effecting that desirable object, he would move—"That as the Commissioners of Military Inquiry have reported in their 13th report, that in their belief, from the information given to them, the appointment of Lieutenant-general of the Ordnance was not essential to the constitution of the Board of Ordnance, in time of war; this House are of opinion, that the recent appointment of lord Beresford in time of peace, is inconsistent with the recommendation of the commissioners of military inquiry, at variance with the professions of economy from the throne, and without a due consideration of the situation of the country, which requires every possible reduction of expenditure to be made in every department of the state, that is not absolutely necessary for the service of the government."

Mr. *Ward* said, he rose for the purpose of opposing the motion of the hon. gentleman on the most plain and palpable ground. The hon. gentleman, in express terms, stated, that the commissioners of military inquiry had declared, "that the appointment of lieutenant-general of the ordnance in time of war was unnecessary." Now, out of the hon. member's own mouth would he convict him; for, on looking to the report from which he had quoted, it would be found that his statement of the declaration of the commissioners was not the fact, but that the direct contrary was. What did the motion say? It set forth, "that the appointment of lieutenant-general of the ordnance, in time of war, is unnecessary." To render his reply to the hon. gentleman perfectly clear, he would divide it into three parts. He would first prove, that the hon. gentleman had misrepresented the declaration of the commissioners of military inquiry; he would next show, that the commissioners of military inquiry had misunderstood the evidence on which they formed their opinion; and lastly, he was prepared to argue, that, supposing both the hon. gentleman and the commissioners to be correct, yet such alterations had taken place in the department, such an increase had been made to the business, that it was totally impossible to attend to those recommendations. He would, by referring to the report, make it manifest, that the hon. gentleman had garbled the statement of the commissioners; and had recommended to the House and the country, that which they never intended to recommend. He would, therefore, detain the House, while he quoted certain extracts from the report; and he called on gentlemen to compare those extracts with what the hon. gentleman had described the report to be. When on a former night, the hon. member referred to this subject, he had said, that the commissioners had declared, that "from the information given to us, we are of opinion, that the performance of the duties of lieutenant-general of the ordnance is not necessary to the constitution of the department;" and there, to his utter astonishment, the hon. member's motion, on the present occasion, stopped. Now, it must excite the surprise of gentlemen, when he informed them, that after the extract which he had just quoted, the commissioners proceeded to say, "especially, if it were to be understood, that the attention of the master-general should not be withdrawn from his regular duty, by other appointments." This altered the case altogether. It was a statement, that "the appointment of lieutenant-general was not necessary to the constitution of the department, especially if it were to be understood that the master-general should not be withdrawn from the performance of his duty by other appointments." The country went with the commissioners on that point. They wished the master-general's office to be made perfectly efficient. But yet, forgetting this portion of the sentence, the hon. gentleman stated broadly, that it was his belief that the commissioners had recommended the reduction of the lieutenant-generalship without any modification whatever. The commissioners went on to say, "that unless this preliminary condition were admitted" (that of restricting the master-general to the performance of the duties of that office) "they had nothing to offer with respect to the situation of lieutenant-general." All this the hon. gentleman had suppressed. He begged his pardon for using that phrase; but he had at least omitted it. It was, however, astonishing to him that a gentleman of such laborious research, and acting, as no doubt he did, with the most honest intention, should, on every subject of debate, but particularly on the subject of the ordnance, leave out passages of very great importance, and quote only those which answered his own purpose.—His second proposition was, that the commissioners of military inquiry did not understand the evidence. They stated, that lord Moira had declared, in the most unqualified manner, that the keeping up the situation of lieutenant-general was only necessary to prevent inconvenience when the office of master-general was vacant. Now, he would show, that lord Moira said no such thing; and he was ready to contend that his lordship in a great measure asserted the contrary. He would read what the commissioners stated, and he would then turn to lord Moira's evidence. The commissioners said, that lord Moira gave it as his opinion that the lieutenant-general was only useful pending a vacancy in the situation of master-general: but if they looked to the evidence, it would be found that lord Moira did not state his opinion in that way. He said, "the lieutenant-general has no other business but what he performs as a member of the board." Now, might there not be great and important duties for him to perform —duties that would absorb all his time? For any thing which appeared in the report of the commissioners, the lieutenant-general might have duties to execute which would consume the whole of his time. This might be the case, for aught the commissioners knew. Therefore, he must say, that even with regard to lord Moira's evidence, the commissioners were not so correct as they ought to have been. What did they state with respect to lord

Chatham? They admitted lord Chatham to have said, that "the office of lieutenant-general was most material for carrying on the business of the board, and the civil and military duties of the department;" and they allowed that the opinion of a nobleman who had been so long at the head of the department was most important. But then they proceed to say, "that lord Chatham founded his opinion on the fact, that the master-general was frequently absent on other duties." Now, lord Chatham's evidence was exactly on the other side; for he said, that the lieutenant-general was not merely necessary for the purpose of doing the duty of the master-general, but "for presiding at the board to transact the civil business of the ordnance." And here he must express his astonishment at the easy credulity of the hon. gentleman, in believing, without any proof of the fact, that there was something like criminality in the conduct of lord Chatham, because, being surprised by a question of this magnitude and importance, and being examined on his oath, he required time to consider, before he would venture to put his evidence on record. This was what the hon. gentleman called "managing" the business; this was what he made the subject of a charge against lord Chatham. That noble lord never did an act in the whole course of his life which he would not openly avow—he never did an act which deserved to be stigmatized as the hon. gentleman had stigmatized his caution and prudence on the occasion referred to. He merely did that which every man of virtue, of pure conscience, and of honest feeling should do, when asked to give his opinion on oath, with respect to a matter of high importance—he demanded time to consider the subject. When his lordship did come forward, what did he say? He declared (so eminently necessary did he consider the office of lieutenant-general) that "he was utterly astonished how it could enter the mind of any man, to ask a question as to its utility." His lordship proceeded to observe—"It seems to me difficult, to find on what ground the doubt as to the utility of this office could have arisen; more especially when the high and respectable names who have filled the situation are recollected, and the instructions which have been given for its government, in every reign, since the first institution of the board of ordnance. I would not state more on this point, if the commissioners did not express a wish that I should state, in detail, the duties in the performance of which the lieutenant-general is useful, and I will do so." His lordship was called on to explain the duties of the office; he requested time to consider the subject; and this was what the hon. gentleman called management. He took a day to answer the interrogatories of the commissioners, and this was charged against him as a crime. His lordship went on to say —"In the first place, independent of what the lieutenant-general is instructed to do in the absence of the master-general, he has several important and specific duties allotted to him to perform, extending over the principal civil and military business of the department, and particularly before the board, where his military knowledge must prove highly advantageous." That the lieutenant-general's exertions at the board were "highly advantageous" remained to be shown; because his lordship had not specified what the exact nature of his duties at the board were. He (Mr. W.) would therefore observe, that they were divided into two heads, civil and military; and he could state decidedly, that without considerable military, civil, and local knowledge, those duties could not be performed. If they looked to those who had served in this office, it would be found that it had constantly been filled by men of talent and experience. Sir T. Trigge, lord Amherst, lord Howe, sir Hildebrand Oakes, and a long list of gallant and distinguished individuals, had filled the situation. This was a proof of its great importance. In his opinion, it would be better to call on the House to abolish his (Mr. W.'s) office, rather than suppress that of lieutenant-general. Lord Chatham next stated, that "in all communications between the board and the higher branches of the ordnance, the presence of such an officer is particularly required." He (Mr. W.) knew, that with respect to the disbursement of money, and the regulation of stores, the civil members of the board could do the business as well as the lieutenant-general; but when they came to estimate supplies, the military knowledge of that officer was of especial use. Lord Chatham then went on to show the necessity of keeping up the office of lieutenant-general, in consequence of the great increase of business. Then what appeared from all this? According to this evidence (which the commissioners declared amounted to the fact, "that the lieutenant-general was in a great measure occupied with the duties of the master-general"), it was most apparent, that he was occupied in performing the civil duties of his office. So that, if there were no master-general, he would still be fully employed. He considered the lieutenant-general of the ordnance as the great link between the civil and military departments of that establishment. He had to perform duties which were necessary to the due carrying on of the business of the board, and which had nothing to do with the functions of the master-general.—So much, then, for the report of the commissioners, founded on evidence which, he had shown, absolutely contradicted that report. The hon. gentleman had bottomed some of his statements on the evidence of Mr. Crewe, which he appeared to consider equal to that of lord Chatham. But what did Mr. Crewe's statement come to? Precisely to that of lord Moira; namely, that "beyond the duties which the lieutenant-general performs in the absence of the master-general, he does not know what other functions that officer has to execute." But the lieutenant-general had many other duties to perform. He had to visit the arsenal at Woolwich, and at other places; he had also to scrutinize persons who were invalided, in the same way as a lord of the admiralty scrutinized every one of those seamen who were candidates for Greenwich. He had these and many other duties to perform.—The hon. gentleman seemed to have a second point in view, when he brought forward Mr. Crewe's evidence. He introduced it for the purpose of putting down the lieutenant-general's clerks. But here the hon. gentleman was considerably behind time; for, long before the hon. gentleman had a seat in that House, he himself felt that it would be proper to do away with those appointments; and they were actually abolished ten years ago. The hon. member endeavoured to impress on the House, that the lieutenant-general employed two clerks, and that if the office of lieutenant-general were unnecessary, those clerks must be also unnecessary. Now, he (Mr. W.) found, that the lieutenant-general was extremely necessary, but that the clerks were unnecessary; and therefore he had them abolished ten years ago. —After what he had said, he imagined the House would not expect he should repeat the refutation he had given, two years ago, to the same species of attack which the hon. member had made upon the ordnance department—a refutation which the integrity of that department enabled him to give, from his general knowledge of the official business it comprehended. Mark the manner in which the hon. member widened his attacks: his notice for that night was merely for the abolition of the office of lieutenant-general of the ordnance; but his speech was nothing less than an unmitigated attack upon the whole board, brought forward in this sly way, without the parties who were to be inculpated having any previous opportunity of preparing for their vindication. The hon. member had called upon the House to revert to what had been the ordnance establishment in the year 1796. Why not, at the same time, have called upon the House to compare the present business transacted by the board, with that which they had to perform in 1796? Let the House listen to that comparison, and then decide upon the parallel. The present establishment consisted of 8,000 men; that of 1796 was 4,000. Then, there were no horse artillery; now, there was the finest body of that force in the world. Then, there were no sappers and miners; now, there was an admirably equipped corps. In 1796 the half-pay of the ordnance was only 20,000*l.* a-year; now, it was 400,000*l.* Besides, there was the wider range of duties which, since 1796, had devolved upon the ordnance, from the increase of colonial business in the East and West Indies. The hon. member had no objection to call for the transfer of every species of business to the board of ordnance; but such was his penury, that he would stint them even in the number of clerks necessary to make out the accounts. But in what had fallen from the hon. gentleman, there was one great and gross misrepresentation, which was cruel and unjust in its operation—he meant the unqualified assertion, that colonel Chapman, the late private secretary to the master-general, was pensioned off at the rate of 400*l.* a-year, to make room for another. Nothing could be more untrue than the hon. member's imputation. What was the real state of the case? Colonel Chapman, when a captain, was one of those able men by whose science and skill the country had so much benefitted, and by means of which the duke of Wellington had been able to achieve so much, in the costruction of the celebrated lines of Torres Vedras, near Lisbon. For his eminent services on that occasion, he was promised an eventual provision to the amount of his present pension. Whilst he held the office of secretary, he never asked for this remuneration; but when he retired from the office of secretary, then, and not till then, did he receive it. Was it unreasonable that, for such a service, an officer of such science and merit should be provided for? and was he wrong in not requiring the pension which was promised him, until he retired from the situation which he filled in the office? He must repeat, that nothing was more false, more malignant, or more nefarious, than to impute the stain of job to the conduct of such an officer. He was sure the hon. member must have been ignorant of the real fact of the case, when he had made his statement; and must now rejoice at having his first impression removed.—The hon. member had charged wasteful extravagance against the board of ordnance; and by way of economising, proposed, in the room of the present system of the office, that there shall be four commissioners, at salaries of 1,200*l.* a year each, making a total of 4,800*l.* a year, leaving the lieutenant-general to stand in that case. [Mr. Hume here said "No."] If not, then where was the economy—was the lieutenant-general, or the military assistant to receive nothing? He was at a loss to discover in what way economy would be promoted by substituting the hon. member's plan; but, of this he was sure, that the proposed change of system would be detrimental, and entirely useless in a practical sense. The hon. member had favoured them with a comparison between the navy and the ordnance boards, and had asked, whether they would content themselves with leaving only five admiralty lords, and retaining the same number, and better paid, for a comparatively smaller service. Here the hon. member was either a great tactician, or else he evinced what, without meaning any reflection upon him, he might be permitted to call a sort of ignorant honesty—a defect of information which was almost culpable in such a quarter. Was the hon. member really serious, when he said, that five lords managed the whole business of the admiralty? Had he never heard of the ten commissioners of the navy? Had he never heard of the commissioners for the victualling board? Had he never heard of the paymasters of the navy? Had he never heard of the commissioners for the outports? [Hear, hear!] Did the lords of the admiralty audit their own accounts? Did they make contracts for their branch of service? Were they their own manufacturers? Were they casters of guns, manufacturers of powder, &c.? All these duties the ordnance department had taken upon itself; and yet the hon. member had suppressed all the labour which such duties imposed, and had apparently done so for the sake of a ridiculous species of plausibility in his speech. He ought to have known these things; and, knowing them, ought not to have suppressed them. If he did not know them, where was his great information with regard to the departments which he sought to re-model? With respect to the remuneration of the lords of the admiralty, it had always been the opinion of Mr. Pitt, that they were inadequately paid; but his observation was, that the remuneration did not consist of a money price; they had, he said, an office of high honour, and were ultimately appointed to naval commands of rank and profit. To such ultimate preferments the members of the board of ordnance could not pretend; and there was certainly some consideration to be allowed for that difference between the two services. The hon. member had said, that the clerks in the ordnance department received a considerable increase of salary since 1796. For his part, he could assure the hon. member of his gratitude, if he could prove the fact in his own case. But he was sorry to say, that, so far from his salary having been increased since 1796, it was exactly 300*l.* less than that which had been received by his predecessor, although he had to transact ten times the business. That, in the returns, there was an increase of some of the salaries was a fact; but that increase was chiefly given in lieu of fees, to which certain clerks were previously entitled. He had omitted to state, when he alluded to the great increase of the ordnance department since 1796, that they had all the Irish ordnance business to manage.—He thought he had now demonstrated, that the hon. member had garbled the report of the commissioners; that the commissioners themselves were not borne out by the evidence in the committee; and that the business of the office had considerably increased, by late reductions in other departments, and transfers which had been made to the ordnance. And having demonstrated this, he thought he had laid sufficient ground for the rejection of the motion. Before he sat down, he wished also to say, that since the making of the report, in 1811, a considerable increase of labour had been thrown upon his department. Indeed, the hon. member himself had, for the last two or three years, been constantly calling upon the House to reduce this department and the other, and consign the business of them to the board of ordnance; and now, after having succeeded in many of these transfers, he wanted to paralyze the effect of them, by reducing the establishment to a state of insufficiency for the performance of its duties. At one time, his object was to throw a great additional burthen upon the office; and at another, to take away the strength by which alone it could be supported. The reduction of the barrack-masters in Ireland had thrown a great additional business upon the department, without the smallest additional pay, whilst it at the same time effected a great saving for the public: it saved the salary of the barrack-comptroller, which was 1,500*l.* a-year, and his deputy 1,000*l.* And yet, after this weight of additional duty thrown upon the board of ordnance, the hon. member had the grace to come down to that House, and say, "Now that we have worked you hard, we will take away one of your most efficient officers." In the course of the last year the ordnance business had been considerably enhanced, by some regulations of the master-general, who had made some admirable regulations, with that energy and decision, which characterized all his actions. Formerly, it was the practice for the chief clerks on foreign stations to check the issues of money or stores within their departments, and perpetual abuses and defalcations attended this mode of transacting the business; but the present master-general removed at once, all those foreign check clerks, and ordered, upon pain of immediate dismissal, that the heads of offices abroad should every month return accounts of their issues; for the purpose of having them constantly compared with the amount of the outgoings from home, and the different uses to which they were applied abroad. The lieutenant-general was in the daily habit of examining these returns as often as was necessary, and had as much manual labour as any clerk had before endured whilst so employed. The House, in considering the state of the board of ordnance, should bear in mind, that the transfer of the barrack department to the ordnance comprehended the business of 101 barrack stations alone in Great Britain, and was divisible into four several heads or branches; viz. the corresponding, the accomptant, the stores, and the building. Not a single day passed without the superintendance of some accounts under one of these heads, or without the board having to consider some plan or estimate of the particular business belonging to them. The colonial business was equally extensive and minute; as a proof of it, he could mention, that, amongst other colonial items before them, at the present moment, was a plan for the erection of an iron steeple at Trinidad, which must go through the board of ordnance before it could be erected. For all this additional duty the officers of the board had not only not one farthing additional pay, but had lost 10 per cent of their salaries. He trusted that he had said enough to convince the House that the motion ought to be rejected.

Mr. *J. Williams* said, that a feeling was abroad, that, under existing circumstances, the expenditure of every unnecessary farthing was not merely a pressure on the nation, but an insult upon its understanding. Yet, this was the season in which the hon. gentleman opposite, with so much ingenuity and apparent triumph, had thought proper to treat with so much jocularity a subject of this important nature. If the hon. gentleman, in speaking of the report of the commissioners, meant to say, that the distinguished persons by whom it had been prepared, were not, in truth, competent to report upon the ordnance establishment, why did he not at once move that the subject should be re-considered? The hon. gentleman had said, that the commissioners had adhered to the opinion of lord Chatham in the statement which they had made as the result of that noble lord's evidence before them. Now he (Mr. Williams) contended, that, with the exception of certain generalities in that evidence, where the noble lord had not condescended to make any specific statements, it resulted, that the noble lord's opinion on the subject was always delivered upon the presumption of the absence of the master-general of the ordnance. The hon.

secretary of the ordnance could hardly be serious in requiring the House to examine now the evidence which he had referred to, scattered as it was over a goodly quarto volume. It was trifling with hon. members to ask them to embark upon an undertaking, which would occupy them at least until midnight. It was, he contended, the hon. gentleman himself, who had made the garbled statement of which he complained, in asserting that the military commissioners had come to an unfair and unfounded statement. The ground upon which those able persons had pressed the abolition of this office was, that the master-general should be confined to the duties of his office. "Our view would be," they reported, "to confine the master-general wholly to his official duties." Now, this passage the hon. gentleman opposite had not thought proper to read, although it contained the very principle of their recommendation. The report went on thus: "We have nothing further to offer, unless this preliminary be adopted, respecting the office of the lieutenant-general." And why had it not been adopted? In whose hands had the government been placed in the mean time? Was it not for them to have effected the measure so recommended? Was this commission altogether a sinecure? If not, why had not the government abided by their recommendation? Where was the evidence to show any thing like a necessity for the longer continuance of the office in question? The motion was founded expressly on the report of the commissioners. The question was simply this: the abolition of an office which had been filled up within eight and forty hours of the declaration of that House, that every possible economy in the expenses of the state ought to be most rigidly adopted. The hon. gentleman had said, that ministers were as anxious as his hon. friend, that every possible retrenchment should be effected in the public expenditure. To such declarations he must give just that precise quantity of assent which experience had taught him to give. This was by no means the first time that ministers had made such plausible professions. But how was it, that two lords of the admiralty had at length been reduced? Was that a voluntary concession on the part of ministers? Or was the reduction made on account of their having been driven from a strong hold? Was the office of one of the post-masters-general given up on the voluntary concession of ministers? No such thing. It was not relinquished by the government, but on hard necessity. It was not until the opinion of the House was declared by an adverse majority, that one of those offices was abolished. Such declarations, therefore, he received with exactly that degree of allowance which was due to them. On the present occasion, he rested not on the mere statements of the hon. gentleman, but on the report of the military commissioners. He trusted that the House, looking to the same authority, would adopt the motion.

Mr. Secretary *Canning* said, that although he should be perfectly content to go to the vote upon this question in the state in which it had been left by his hon. friend, yet having himself, upon a former evening, been particularly called on by the hon. member for Aberdeen, to account for the nomination that was now the subject of inquiry—having been, at that time, wholly unprepared to give an answer to the demand so made—having since made it his business to render himself fully acquainted with the real facts of the case—and having, finally, come to a most conscientious and determined conviction, that a falser allegation was never made, than had been made against the office of lieutenant-general of the ordnance—he could not content himself with a silent vote on the present occasion. It would be in the recollection of the House, that the hon. gentleman had brought forward his charge on the former night, with almost every possible circumstance of aggravation. It was not only that an useless office had been revived and continued, after a committee appointed to inquire into the ordnance establishment had suggested its abolition—not only that this had taken place in defiance of all the general principles of economy, and of a specific recommendation of retrenchment in this particular—but that it had been done from the corruptest of motives, with the basest of purposes; that it had been given, at the instance of the government, to an individual wholly unworthy of the appointment. It was imputed to them, that it had been given to this individual for the sake of his family and parliamentary connexions. [Cries of "No, no," from the Opposition.] He affirmed most confidently, that the charge went forth, on that occasion, against the government, and against lord

Beresford, not only as a charge of public malversation, but as a charge of personal favour, influence, and corruption. Was it nothing, then, that, for the space even of four and twenty hours, a noble and meritorious individual, and a government, conscious of having done its duty, should labour under calumny so foul, and imputations so unfounded? He said "calumny so foul," because he contended, that that charge was completely false in every particular. It had been already disproved by his hon. friend, so far as related to the office itself, and the foundation upon which it stood; and, before he sat down, if it should be necessary to remove from any mind the impressions which that charge might have excited to the prejudice of the noble lord in question, he trusted he should be able to remove it. —The motion of the hon. member professed to be founded on the report of the military commissioners; but before the hon. gentleman could call upon the House to affirm it, he should at least have been prepared with the document from which the grounds of his proposition were said to be taken. Now that motion averred, "that the commissioners of military inquiry had reported that, in their belief, from the information given to them, the appointment of lieutenant-general of the ordnance was not essential to the constitution of the board of ordnance, in time of war," &c. Now, he (Mr. C.) maintained, that the proposition which was here made the ground of the vote which the hon. member called for, was not only not in the report alluded to, but that, if the House affirmed it, they would affirm that which was not true. The only passage that bore a resemblance to the statement he had just read, and the one which the hon. gentleman must have intended to refer to in his motion, was couched in different terms. It was to this effect:—"From the information given to us respecting the actual performance of any distinct duties by the lieutenant-general of the ordnance, we incline to the opinion, that this appointment is not essential to the constitution of the board. Our view would be, to confine the master-general wholly to his official duties. We have nothing further to offer, unless this preliminary respecting the office of master-general should be adopted." The recommendation, therefore, was specifically upon the understanding, that the master-general should be so confined. Notwithstanding the caution of the learned gentleman who had spoken last, he must be allowed to suggest to him, that it was in some slight degree necessary to know the nature of the documents on which a proposition like the present was founded, before it could be effectually supported; and therefore, without any risk of going on until midnight, he would read the remainder of the documents that had been brought before the House. [The right hon. gentleman then read an extract from the report, to the effect, that lord Moira's opinion, as to the necessity of the office of lieutenant-general, rested on the possible absence or illness of the master-general; but that lord Chatham thought it was an office essentially necessary to the constitution of the board.] Surely, so decided an opinion, coming from an officer who had been so long at the head of the ordnance department, was entitled to great credit. The report, after proceeding to state the further opinions of lord Chatham and others, observed, "it was only under these representations that it had occurred to the commissioners, that the office of the lieutenant-general might be dispensed with." At the bottom of the same page, however, having first—if the House would believe the words of the motion—disposed completely of this office, and recommended its abolition;—what did these commissioners do, but name a specific sum, in the way of salary, for this defunct officer! Not only did they state the compensation to be made for the discharge of functions which they had declared there was no necessity for exercising, but they went on to recommend the salary and emoluments which were to be allotted for his posthumous services. They said in their report, "Our proposition is, that with respect to the emoluments and salary of the lieutenant-general of the board of ordnance," such and such arrangements ought to be made. The hon. gentleman had seemed to think, that by what the commissioners had said, in respect of the lieutenant-general of the ordnance, it was meant to abolish an office, whereas it seemed rather their intention to call it by another name; for there was, in fact, no specific proposition for diminishing the board. Now, if all that the hon. gentleman's motion intended was, that the lieutenant-general of the ordnance should be no longer called so, but that there should be no diminution of the board, his motion might, in truth, be a very rational one; but what became of economy in the mean time? Where was retrenchment? The commissioners said nothing about a reduction of the board, in point of number; but they said that this officer should not be called lieutenant-general. But the hon. gentleman himself would doubtless see, that the whole of this recommendation proceeded on the persuasion, that a great change might take place in the office of the master-general himself. The learned gentleman had asked, why had not the suggested change taken place with respect to this office of lieutenant-general? Why, if the learned gentleman meant to frame upon that any question to be discussed in that House, the motion should have been "to alter the constitution of the board of ordnance." The commissioners reported that, the office of lieutenant-general of the ordnance should be abolished, "if" a certain change should take place in the office of the master-general. Let it be admitted, that it had not taken place; and that it might be a matter of question whether such a change should take place or no. He would still contend, that the hon. gentleman's proposition did not touch these matters; although these were precisely the things to which his motion should have gone. What he maintained, therefore, was, that the recommendation of these commissioners did not apply, so long as the master-general of the ordnance continued to be the sort of officer he now was, and had been, from the first institution of his office.—To come to the question, whether the office of lieutenant-general should be filled, as it formerly had been, or by another sort of person? Hitherto, it had always been filled by one of the most eminent military men in the country; and one whose high situation in public life, and whose services to the state, had necessarily called him to a share in the functions of the government, the councils of the sovereign, or great military commands. The hon. gentleman might think that this was wrong; but, if so, it was for the honourable gentleman to address the House upon the subject specially. As the case stood, it was obvious that it was only the change contemplated in the office of master-general which had produced the recommendation from the commissioners in respect to the lieutenant-general. But the master-general, holding the high offices that he held, and being liable to be called away on other public appointments, it was admitted, both by lord Moira and earl Chatham, that the lieutenant-general must be the great officer whom it was usual to nominate to that situation, in order properly to supply the place of the master-general, when he might happen to be called away. He did not think there was any thing in our past history, that should induce parliament to change the principle which had always been acted on, in the nomination of master-general of the ordnance. The great Marlborough, who, while he was master-general, achieved the victory of Blenheim, formed no exception; nor did he think that the living example of the duke of Wellington, whose transcendent talents had acquired for him that commanding situation which he occupied in the councils of Europe, would make the House the less think that the master-general of the ordnance should merge in the mere discharge of the duties of the office, those great qualities which might be so essentially useful to his country. He did think it would be found, upon inquiry, that every succeeding age had not been under a mistake; that light had not now dawned on parliament for the first time; but that experience had confirmed the rule, that the post of master-general ought to be filled by the most eminent military man in the kingdom. If the House granted this, then, in effect, they said, that the recommendation of the military commissioners was not with, but against the hon. member on this occasion.—Again, upon the fact of the office of master-general remaining what it now was, the House had the distinct admission of these commissioners themselves, that the office of the lieutenant-general must stand on precisely the footing that it now did. But if, notwithstanding all this, it could be shown, that, in the recent filling up of this office, there had been any thing like a corrupt motive, that alone would be ground to justify parliament, in carrying their complaints to the foot of the throne. It remained, then, that they should see how this question really stood: and he would assure the hon. gentleman, that of all the feelings that he could excite in his (Mr. Canning's) mind, by carrying this motion, or obtaining for it the sanction of the House, none could give him such pain as the notion, that in relation to the appointment which had taken place, a suspicion could enter any man's mind, that there was any shadow of foundation for what had been charged. It seemed, however, that a great hesitation had been evinced in the filling up this office;—that the appointment was four months in being filled: it was assumed, therefore, that there was, at first, on the part of the government some reluctance; but that, at length, the spirit of corruption getting the better of their feeling for the country, lord Beresford was appointed—the imputed motive being, his lordship's family influence. The situation became vacant on the death of its late estimable possessor. This was on the 9th of September last, a few days before the duke of Wellington set out for Vienna, which was on the 17th of September. In that short interval, the duke, although for a part of the time confined by indisposition to his chamber, did see his majesty once: and, so far from any hesitation on the part of the duke, as to whether he would wish to have the office done away with, and no successor appointed, he took the liberty of recommending to his majesty, not one, but three several persons as successors to the late lieutenant-general. His grace did so, because, being then about to leave the country; and, not having any opportunity of learning whether the first person would accept the office, before his departure, he thought it was necessary to name three. And on the third of these individuals it was, that the selection ultimately fell. The first was lord Hopetoun; the second, lord Hill. They both refused; and failing lords Hopetoun and Hill, the office reached the person who now filled it. The duke of Wellington first communicated with lord Hopetoun; and it was at Vienna that he received his lordship's answer. From Vienna the duke then wrote to lord Hill; and by the courtesy of the noble person who wrote the letter, and with the permission of the noble person to whom it was addressed, he (Mr. C.) had it now in his possession. He begged the House, before he proceeded to read it, to recollect the charge that had been made against the duke of Wellington—that he had been offering to these noblemen a place without business—an office marked for abolition, rendering no service to the country; and nevertheless, that he meant to make a job of it, and to give it away to a particular individual for family reasons. Among all the vices which were attributed to the duke of Wellington, excessive hypocrisy certainly was not one. Yet he (Mr. C.) thought that his hypocrisy must have been great, that he must have suffered his diplomatic functions greatly to affect the natural bias of his character, when he wrote this letter, in the perfect unconsciousness of its being ever made public, addressed to his intimate friend, and old companion in arms, merely in order to make out a case for the lieutenant-general of the ordnance, as against the hon. gentleman. The letter ran thus:—"My dear Hill;—You are aware of the death of lieutenant-general Oakes, late lieutenant-general of the ordnance; and it will be a great satisfaction to me to recommend you to the king to fill that office. I know that it will be satisfactory to his majesty. The office is worth about 1,500*l.* per annum, but the business is constant, and I am afraid will render necessary your residence in London during a great period of the year, probably the whole of it." In answer to this letter lord Hill addressed one to the duke of Wellington, dated October 21, 1822, in which, after expressing his thanks for the offer of the office that had been made to him, his lordship says:—"Under all circumstances, however, I feel that I had better decline the offer. In the first place, I never have been accustomed to office, and I fear I should but ill perform the business which would be required of me. Secondly, the constant residence in town would not only be unpleasant to me, but I really think the confinement, which I have never been used to, would be very injurious to my health."—Such was the sinecure which had been offered to lord Hill, and which his lordship had declined on account of the severity of the duties! Yes, he who had undergone the fatigues, the hardships, the dangers of so many campaigns, had declined to accept of this sinecure, because the constant occupation would be too severe for him, and because, hardened as he was by actual service, it would be injurious to his health. This was the sinecure, of which the hon. gentleman had taken so just an estimate; this was the office to which, because there were no duties to perform, lord Beresford had been appointed from corrupt motives, and on account of family connexions! But, so it was. The tenour of the report of the commissioners was violated: sentiments were quoted which formed no one part of that report; and lord Chatham was charged almost with wilful perjury. But to proceed with the appointment to the office. Having failed in his applications to both the noble lords mentioned, the duke of Wellington wrote to lord Beresford from Verona. The letter ran thus:—"Verona, Nov. 11, 1822.—My dear Beresford;—You are aware that the office of lieutenant-general of the ordnance is vacant, and I wish very much that you would let me know if it would be agreeable to you to fill it. You must be aware of the respectability of the office in the military world, and how happy I should be to have your assistance. The value of the office is 1,500*l.* per annum, and the only drawback I know of is the constant occupation and attendance required in London." Thus went on this incorrigible hypocrite; always mentioning the laborious nature of the duties of the office, and the necessity of a prolonged residence in town; as if his letters had been written expressly to serve a purpose, which it could never have been in human sagacity to foresee; namely, an answer to the motion of that evening, by affording a proof of the laborious nature of the place, now contended to be a sinecure, out of the mouth of the duke of Wellington himself. Then what was the House to think of this false, foul, deliberate, and mischievous calumny, on the best and bravest blood in the land? Personal merit, public character, tried integrity, long years of faithful service, must all be sacrificed, and trampled on, and insulted, to pave the way to the success of a motion like this. The effect of this motion being carried would be, that a malignant, false, and scandalous imputation, would be cast on all the parties concerned. The government of the country was accused, the duke of Wellington was accused, and the noble lord was accused, of being parties to the most corrupt and disgraceful transactions. But, he was confident that, as they were now put upon their trial, they would, to the confusion of their accuser, be acquitted by the unanimous verdict of their country.

Mr. *Hume* rose to reply. He could assure the House, it was not his intention, in the few remarks he had to offer, to imitate the example of the right hon. gentleman, by putting himself in a passion. The right hon. gentleman had talked of falsehood, and calumny, and misrepresentation, and other epithets which were wholly unworthy of him. Let him not imagine, however, that he (Mr. H.) was to be driven from his duty by such a mode of argument. He could not have imagined that the right hon. gentleman would have felt so much annoyed by a proposition for economical reduction—that he would have shown himself so inflammable—such touchstone [a laugh]. The right hon. gentleman might laugh, but he must know what it was he meant to have said. He denied that he had stated what was false in the course of his speech; but the right hon. gentleman himself had made a false representation in accusing him of uttering falsehoods in support of the motion. It was false to represent him as having accused lord Beresford of having no claim to his situation but his family connexion. On the contrary, he had paid him that tribute to which he conceived his talents and bravery entitled him; and he would not allow the right hon. gentleman, or any man, to accuse him of falsehood or misrepresentation. The right hon. gentleman might flourish away about the glories of Blenheim, as connected with the mastership-general of the ordnance; but he, if he were disposed to flourish also, might call back the recollection of the House to another master-general of the ordnance, who had figured at Walcheren. Let the right hon. gentleman take his change out of that if he pleased. The right hon. gentleman, in his eagerness to call the attention of the House to one or two points, had altogether omitted his argument about the heavy expense of the office. He had been accused of garbling. The accusation was unfounded. The garbling was on the opposite side; and if any man would look at the report, while he read his motion, he would find the words were the same. The position with which he had set out was, that the commissioners had recommended such a measure as that which the present motion embraced; and he would still contend, that it was impossible to put any other construction upon their report. With respect to lord Chatham, it had been said that he had been taken unprepared, and that no man could be ready to answer off hand upon oath. Was the like of this ever heard before? But the fact was, that so far from lord Chatham being unprepared, he had three weeks previous notice of the intention of the commissioners to examine him. From the observations of the hon. gentleman (Mr. Ward), one would have supposed that he (Mr. H.) had made an attack on col. Chapman. He had done no such thing. He said, and he now repeated it, that he had got a pension, for the purpose of making way for another. What offence was that to him? He fully admitted that col. Chapman was a most deserving officer. He concurred in all that had been said respecting his long and efficient services; but what was his reward for those services? He was turned out on a pension, small compared with the emoluments of his office, to make way for a young man who had been aide-de-camp to the duke of Wellington, and who was now thrust over the heads of five hundred officers. And who was it that gave the offence to col. Chapman—they who had treated him thus, or the individual who had noticed such injustice? The right hon. gentleman had laid great stress upon the letters which he had read; and had observed, that they could not have been written in anticipation of a case for the House. He did not doubt but the letters were as they were described; but, what was the conclusion to be drawn from them? It was this—"If you accept the office, you will have all the duties to perform." Or to this effect—"The situation is at your service; for I want a proxy." He repeated, this was in effect the case; for, in order that the lieutenant-general should be constantly employed, it would be necessary that the duke of Wellington should be continually absent. This, he contended, was the opinion of the commissioners, and this must be the real ground on which the situation was now to be upheld. The hon. secretary to the ordnance had dwelt upon the immense business of that department, and had spoken as if he had to discharge the whole of it. Now, he would assert, that there was no attorney of any good practice, who might not have consumed, in describing the various duties he had to attend to, even a longer time than the hon. secretary had occupied in detailing his: but, there was this difference between them; that the hon. gentleman had twenty clerks to assist him, for every one that such a person as he had named could employ. To hear the hon. gentleman talk of his various occupations, and the fatigue of business, one would suppose that he was acting in time of great personal danger, and that every duty was discharged at the risk of his head. Did the hon. gentleman forget that he had now three times the number of assistants which were employed in the beginning of the war?—that in one office, where there were fourteen clerks in 1796, there were thirty-six at present; and, in another, where there were thirteen at the same period, there were now thirty-one? Was all this nothing? The hon. gentleman rested upon our present great expenditure—upon the increase of business—upon the multiplication of barracks. It was true, we had barracks spread all over the kingdom. That was one of his causes of complaint. But if we had these, we had also 150 commissariat clerks. Was their assistance to be reckoned as nothing? In conclusion, he repeated, that he had no intention of disparaging lord Beresford; but he would contend that, whoever was appointed, the appointment was unnecessary. He would now leave the question in the hands of the House. Those who supported ministers in their disposition to continue the burdens of the country, would, of course, oppose him; but those who thought that every possible attempt should be made to lighten those burdens, would vote with him.

Mr. *Macdonald* said, that with a disposition to save every farthing that could be spared, consistently with the efficient management of the several public departments, he felt himself, in common with sundry friends around him, somewhat embarrassed by the wording of the present motion. The motion had, it was said, for its ground, the recommendation of a report of the commissioners of military inquiry. Now, before they decided upon that ground, it would be necessary to ascertain what was the object the commissioners had in view in making this recommendation. It appeared to him that the recommendation was a conditional one, and depended upon the re-modelling of the board of ordnance. How far such a measure might or might not be of advantage to the public service, he would not stop to inquire; but he knew that the re-modelling had not taken place. This being so, and having, on the one hand, a regard for every possible saving of the public money, as great as that of his hon. friend, and, on the other, a disposition not to pass undeserved censure on the master-general of the ordnance, or on his majesty's ministers, he could not vote for such a motion without further inquiry. The commissioners had examined lords Chatham and Moira, who gave opinions not much unlike; but the duke of Wellington might have reasons for agreeing with, or differing from both. With the experience which his situation must have given him, he did not see why the opinion of the duke should not also be taken. He would therefore suggest, that a committee should be appointed for the purpose of inquiring into the office of lieutenant-general of the ordnance, and ascertaining whether its reduction might not be consistent with the public service. He regretted that such a motion should have been brought on without such inquiry, and he was sorry for the warmth which had been evinced in the course of the discussion. He advised his hon. friend to withdraw his motion, for the purpose of adopting one for a committee of inquiry. If any other member should be of the same opinion, he would move, by way of amendment, "That a Select Committee be appointed to inquire into the duties of the Lieutenant-general of the Ordnance, and the expediency of abolishing that office."

Mr. *Canning* said, that he, for one, could not consent to the motion being withdrawn.

The amendment was negatived. After which, the House divided on Mr. Hume's motion: Ayes 73; Noes 200. Majority against the motion, 127.

List of the Minority.

Allan, J. H.
Althorp, visc.
Astell, W.
Baring, H.
Barratt, S. M.
Benyon, B.
Bernal, R.
Birch, J.
Boughey, sir J.
Bright, H.
Byng, G.
Calvert, C.
Chaloner, R.
Creevey, T.
Curwen, J. C.
Cradock, S.
Davies, T. H.
Denison, W. J.
Denman, T.
Duncannon, visc.
Dundas, C.
Ebrington, visc.
Ellice, E.
Fergusson, sir R. C.
Fitzgerald, lord W.
Glenorchy, visc.
Grattan, J.
Guise, sir W.
Haldimand, W.
Hamilton, lord A.
Heron, sir R.
Hobhouse, J. C.
Honywood, W. P.
Hurst, R.
Hutchinson, hon. C. H.
James, W.
Jervoise, G. P.
Lemon, sir W.
Lewis, W.
Maberly, J.
Maberly, W. L.
Mahon, hon. S.
Marjoribanks, S.
Martin, J.
Maxwell, J.
Milton, visc.
Monck, J. B.
Nugent, lord
Palmer, C. F.
Pelham, hon. C. A.
Pelham, J. C.
Pym, F.
Ramsbottom, John
Ricardo, D.
Rickford, W.
Roberts, A. W.
Robarts, G. J.
Robinson, sir G.
Rowley, sir W.
Sefton, earl
Smith, J.
Smith, G.
Smith, hon. R.
Stanley, lord
Tynte, C. K.
Webbe, E.
Wells, J.
Whitbread, S. C.
Williams, J.
Wilson, sir R.
Winnington, sir T.
Wood, M.
Wyvil, M.
Wigram, W.

TELLERS.
Bennet, hon. H. G.
Hume, Jos.

HOUSE OF COMMONS.

Thursday, February 20.

RIGHT OF VOTING.]—Lord *J. Russell* said, that if he were not aware that opposition was likely to be made to the motion of which he had given notice, he should not have troubled the House with a single observation in support of it. He was about to move for a plain arithmetical statement, of the number of voters who returned members to the several cities and boroughs, and the right of voting as it was usually exercised in those cities and boroughs. To such a motion he should not have conceived that any objection could be made. Understanding, however, that it was to be opposed, he should state shortly the grounds and precedents upon which he was entitled to call for such a return. A remarkable facility had been afforded of late years, on the other side of the House, in granting papers and documents which were calculated to afford information on any subject which was brought under its consideration. He would mention one or two instances of recent occurrence which were directly in point. His noble friend (lord A. Hamilton), who had shown so laudable though so fruitless a zeal, for the reform of the representation in Scotland, had a short time ago moved for a return of the number of freeholders who returned the county members of Scotland. His noble friend had obtained that paper, by which it appeared, that the county members of Scotland were returned on an average by 70 or 80 constituents. No longer ago than last night, his noble friend had obtained another return, showing the actual condition of the royal burghs of Scotland. Why, then, was he to be treated with less courtesy than his noble friend? Why was a return to be denied to him which was necessary for the consideration of the great question of reform? In the other house of parliament a committee had been appointed, in 1815, to search for records and documents relative to all matters touching the dignity of peers of the realm. The House of Lords had no fear for the investigation of the origin of their dignity, and accordingly a report came forth, under the auspices of lord

Redesdale, remarkable for its length, the industry of its research, and for every merit—but that of accuracy. There were other precedents which he might mention in support of the present motion. His hon. friend, the member for Shrewsbury, had, under the advice of the Chair, moved for a committee to inquire what members of that House held places and pensions; and a return had been made, showing the number of members, and the places and offices which they held. He could not conceive why a committee to examine into the number of voters and the right of voting in the several cities and boroughs might not proceed exactly in the same way. If it were objected, that there would be difficulty in obtaining such a return, because the returning officer might not know the exact number of voters, nor be able to determine precisely the right of voting; he answered, that the committee would be satisfied with such a general return as would enable them to form a tolerably accurate judgment on the subject. It should be recollected, that returns had been made to the committee on education from the clergyman of every parish in the kingdom, stating the number of places of education. If hon. members who opposed reform, on the ground that the House, as at present constituted, performed all its functions, refused the present motion in order to conceal the actual state of the representation, they would abandon the ground which they had originally taken. Nor would the refusal of this return be of any avail, unless they could also conceal many other notorious circumstances which injured the reputation of that House. Could they conceal, for instance, a circumstance which took place last summer in a borough of the county of Cornwall, where, at a meeting of the municipality, a letter was read from a noble lord, in which he declined continuing to be patron of the borough? The common report was, that he was disgusted with the borough, in consequence of the frequent applications for patronage with which he was importuned by his dependent burgesses. This, however, was not the most interesting feature of this constitutional transaction. What would the House think, if, after the the reading of the noble lord's letter, a member of that House proposed to this corporation—to this assembly of freemen —another noble lord to officiate as their patron; a noble lord, too, who had no property within a hundred miles of the borough, and with whom they had no natural connection? When such things as these were perfectly notorious, it was surely not too much to hope, that every independent member of that House, whether favourable or adverse to the principle of parliamentary reform, would support a motion, which merely went to ascertain the number of voters in the cities and boroughs, and the grounds upon which they held and ascertained their franchise. The object of that return was only to show what right of voting prevailed, and what was the number of constituents who returned members to that House; so that when the main question of reform should come to be considered, every hon. gentleman might be able to say, "such and such is the state of the question, and upon such ground do I advocate or oppose reform." Every independent member, who would not have it thought the House was afraid that the manner in which it was constituted, and that the grounds upon which the authority of returning members to it rested, should be made public, would, he was sure, support him. He therefore moved, "That a Select Committee be appointed to inquire into and report to the House, the right of Voting, at present exercised, and the number of persons entitled to vote, in every City and Borough of England and Wales, sending members to parliament."

Mr. Secretary *Canning* said, he had not refused to communicate to the noble lord whatever information might be necessary for the fair, candid, and dispassionate meeting of the great question of parliamentary reform, which the noble lord had brought before the House for several years, and of which he had given a notice for the present session. In the remarks which he should take the liberty of making upon the speech and motion of the noble lord, he should not be drawn into the larger question, but would confine himself to the specific motion before the House. Before he came to state the objections which he had to the motion itself, he could not help remarking that, if the present motion were carried, it would go to prejudice the people, with regard to what he trusted was the feeling, and would be the decision of the House, upon that great question. Undoubtedly, it would be agreed, that the carrying of the present motion, without opposition, would give a false impression to the public, on the subject of the great question of reform: it would either lead them to believe, that there had been a progress in the House upon that question, which no vote of the House had sanctioned, or that there was a disposition to adopt changes, which the noble lord himself had not contemplated, and for which he would not contend. It would bias the judgment of the people in a way which was quite unfounded; and in consequence of that, a difficulty would be felt in meeting the greater question, with that calmness which its importance deserved. It had been described as a very slight measure; but it would have an influence which would draw consequences far beyond those which the noble lord anticipated. But he must object to the motion, not merely on account of the undue and unfair influence that it would have upon the question of reform; he must object to it upon its own grounds. The noble lord had said, that the appointment of this committee was a matter of course; but, instead of that, it was one which involved the most serious and even the most tyrannical consequences. It was proposed to appoint a committee to examine the nature of the votes, and to ascertain the number of voters in every town. There were, indeed, boroughs in which, from the recorded votes in cases of disputed elections, the number of electors might, with some degree of correctness, be ascertained, and to these that part of the consequences which he was bound to regard as tyrannical did not apply. But, when there had been no disputed election, how was the number of voters to be found out? Were they to go to every borough and examine their private records—not their private records only, but were the Commons of England to order in the charters of the boroughs? Was it proposed to resort to a measure which had not been resorted to since the reign of James 2nd? A stretch of inquisitorial tyranny which had not been resorted to but in that and the preceding reign? Why, if they were to call for the charters of the boroughs, they might next, and with as much justice, go to private individuals and call for the title deeds of their estates. It ought to be borne in mind, that upon these charters depended other rights besides those which the noble lord would wish to ascertain. Upon the charters depended, not only the right of voting, but property of various descriptions, such as advowsons, for instance, which were in the gift of the corporations. Was it meant that the committee should have the power of calling for and inspecting the charters of unoffending corporations? Were their contents to be held up to the public, and an opportunity afforded to every attorney, who should have little business and much leisure, to create an occupation for himself, in finding out the flaws of these charters?

Lord *J. Russell* said, he did not mean to call for the production of the charter. The right hon. gentleman had misunderstood him if he supposed that such was the object of his motion.

Mr. Secretary *Canning* was at a loss, then, to know what the noble lord really proposed to gain by his motion. The right was in most instances contained in the charters; and, unless he had strangely forgotten, when the noble lord gave notice of his motion some nights ago, the subject of the charters had been particularly put forward. In that notice, which he then held in his hand, the return of the charters had been specifically mentioned, together with the number of voters. If he meant, however, now to limit the power of the committee, and not to give them authority to inspect the charters, how would the result of their investigation be more satisfactory than the information already in the possession of the noble lord? The noble lord had said, he did not expect perfect accuracy in the return: his purpose, then, was answered by those accounts which were now floating about the country. He agreed that, if on a debate as to the expediency of a reform in parliament, it had been denied that the right of election was vested in small corporations, and placed in the power of a limited number of voters, the noble lord would in that case have had a right to call for information; but it would be in the recollection of the House, that long before the question of reform had been under the protection of the noble lord, for the last thirty years, during which the debates upon this subject, though not quite annual, had been very frequent, there had never been one in which the fact of these small corporations, and the limited number of their voters, had been contested. For himself, and for all those who had taken the same view with himself of this question, they always set out with this admission. He would give the noble lord Old Sarum and its two voters. He would give him all the contents of those popular publications to which he had alluded; the number of the constituents should be as limited as he pleased; for his objection to the question was founded upon none of these points. He and those who voted with him opposed it, because they thought that, with all these acknowledged imperfections, the House of Commons was still adequate to the discharge of those functions which had been assigned to it by the constitution—because they dreaded change more than they desired improvement — and because they were content with the operation of the present system. He did not, however, wish to throw this point into the present debate. He did not see how, by granting the present motion, any degree of accuracy could be arrived at, more than was already attained. He could not consent to the violation of a principle, for the accomplishment of an object in every way so little desirable. The return which the noble lord sought would be defective; because it would contain no information as to the counties. Besides, if he had the returns of the last elections, they must be null as to all those places where the return had been made without opposition; they must be null in many of the most populous places in England, where the poll had been suddenly closed. How could the noble lord arrive at any just conclusion, as to the propriety of the form of the election, except by the practice? How could he judge of the practice but by an accurate return? And how could the return be made accurate, unless it was evident, that the contest had been pushed to a total exhaustion of voters? For example, if the noble lord had made his motion in the last session, and had carried it, and had applied its operation to Liverpool, he would then probably have had a return nearly correct; but if it were to be applied now, it would seem by the return of the last election, that the voters amounted only to about 200. The returns must be made either by the fact or by estimation. The fact he had shown was liable to change: the estimation never could be accurate. The noble lord must forgive him, therefore, if he could see no possible benefit from granting the returns called for. The object of some persons who advocated the cause of reform was to cut off all the peccant parts of the borough representation. This was not, however, the intention of the noble lord: he proposed to preserve one-half of the present representation, even though it should be made up of those degraded parts. It was not, therefore, very apparent what good could he done in the noble lord's own view of the subject, by exhibiting in the colours he now proposed, so large a part of the representation. No man was so absurd as to deny the existence of close boroughs: it was admitted that corruption did exist, that many of them were small, and the number of voters limited. The noble lord had the full benefit of any argument he could ground upon these admissions. He objected to the motion, first, for the main reason he had stated, that to grant it would be injuriously and unnecessarily to expose the charters of the many boroughs in the kingdom; secondly, because the appointment of such a committee would have the effect of raising a prejudice very far beyond what the noble lord stated to be his intention; but what, in his judgment, must be its result; because the House, in granting it, would mainly decide on that question which the noble lord had concurred in keeping out of sight; and because, lastly, whatever benefit he could derive from it, he already had, as far as the concessions he had then made could extend. He disclaimed any intention, by his refusal to coincide with the present motion, of throwing obstacles in the way of the promised question. When that question came to be discussed, he should meet it with candour, and without any other hostility than that which he felt to the principle on which it was founded.

Mr. *Abercromby* confessed, that he had felt a considerable degree of curiosity to know what could possibly be the grounds upon which the right hon. gentleman would oppose the motion of his noble friend; as the information required was so perfectly harmless, and the motion itself was in reality so detached from all other subjects. He had thought that there could be no rational opposition to it; and the result had showed him that this opinion was correct. The right hon. gentleman had brought forward two objections; one of which existed wholly in his imagination; and the other proceeded upon an exaggeration, or rather, he would say, upon a misrepresentation; unintentional he was very willing to grant, but still it was, if not a misrepresentation, at least a very gross exaggeration. The right hon. gentleman had been at some pains to persuade his noble friend, that the information which he sought for could not be obtained, and that if it could be obtained, it would not be useful; but surely his noble friend was the best judge of what information would best suit his own purpose. As to the right hon. gentleman's argument, that if the committee should be granted, a belief would be generally received, that the House was ripe for some alteration; if it were really so, it would show a great predisposition in the public mind, to believe that it was the duty of the House to adopt such a measure. He should like to know why the same objection had not been made against the motion of the noble member for Lanark, with respect to the Scotch burghs. He had obtained a return of all the persons in Scotland in whom the right of electing was vested, and yet he feared they were no nearer parliamentary reform. Nor did he think, if the present motion were granted, that any great benefit would be gained to the main question. The case of the Scotch returns was a precedent exactly in point; and to this the right hon. gentleman had very discreetly omitted to allude. The House knew the real number of the electors in every town there. And, was it of no importance to procure the same information with regard to England? Before any plan could be prepared for carrying the measure proposed by his noble friend, was it not necessary to know the numbers of the electors? Was it not necessary to know the changes which had taken place? Was it not necessary to examine the new towns? Was it not necessary to compare the small towns which had many representatives, with the large ones which had none? Would any one presume to say, that such information would be of no use? The noble lord thought, and he agreed with him in thinking, that it would have a very considerable effect, although they certainly were not prepared to believe, that it would make the House with one consent vote for the question of reform. The right hon. gentleman had described the committee as if it was intended that it should sit in judgment upon the charters of all the boroughs, and not satisfied with their own prying, employ others in the work of picking holes in them. Now, the fact was, that there would be no such thing. It was easy to show how the information could be obtained without any of that prying and picking of holes, which seemed so terrible to the right hon. gentleman. There were in every town returning officers, of whom the information could be obtained. The motion, therefore, could do no harm to the charters. The rights of the boroughs, their privileges, however private, and however frail, could not be in the least injured; and to say that they would, was an exaggeration without the slightest foundation in reason. Even where the boroughs were the most numerous, there could be small difficulty in ascertaining the number of the electors. Take Cornwall for instance. The numbers in each borough might be from 15 to 120. In Liverpool, the persons who were recently the right hon. gentleman's own electors, could, though more numerous, be easily ascertained. They were the freemen; and in every case where the freemen were the electors, there could be no difficulty. The only instances in which difficulty could occur, would be in some of the large potwalloping boroughs; and there the greatest number that had voted at any one election could be ascertained, and would be sufficient. There was not, therefore, even a shadow of doubt as to the obtaining of the information; nor was there the least appearance of danger to the boroughs. The whole of the objections were therefore either mere chimeras or violent exaggerations. The question was a plain one, and the answer might be the same. After all, it was a matter of small moment, whether the motion was granted or refused. Good would result from the agitation of the question; and by having obtained the sentiments of ministers upon it, his noble friend would have attained his object. More good would, indeed, be done by the refusal, than by the compliance. The reason of the refusal would be so plain, that no man in the country could mistake it. They would look at the proposition and at the result; and they would put this plain question—"What could induce the House of Commons to refuse such a request?" What, but that the House was afraid to make even one concession to the advocates of parliamentary reform?—afraid to sanction the granting of a committee, which might find out how very defective and how very rotten the representation of the boroughs was? There was, as the right hon. gentleman had said, a predisposition, on the part of the people, to this question; and he was sure that nothing could tend more to encourage that feeling, than the refusal to grant the present motion.

Mr. Secretary *Peel* thought that none of the objections of his right hon. friend had been removed. The hon. and learned gentleman had said, that these objections were visionary, inapplicable, and founded on exaggeration; but this he would deny. The hon. and learned gentleman had begun by throwing aside the general objection to the motion, and saying, that the noble mover was the judge of what information was best for his purpose; but, would any one say, that information which was to be afforded by that House, should be framed to answer the private purposes of any member? If the object of the noble lord were obtained, it might be productive of the most serious consequences. The object was to expose the deformity of the boroughs; but, if the noble lord meant, in his plan of reform, to retain the whole, or a part of these boroughs, he would ask if the exposure was prudent? The hon. and learned gentleman had denied, that any part of the noble mover's object was to expose the charters of the towns. Why, then, could not the information in that case be procured without the intervention of a committee? Did he not propose to follow this up by a power in the committee to examine persons, papers, and records? How was it possible to limit a question which was in its nature so sweeping? Why, under a committee possessing such ample powers, might not the charters be produced and exposed? The charters of private persons were exposed only in cases of litigation, and those of the boroughs should be so only in cases of disputed election. The hon. and learned gentleman had said, that there was a precedent, in the case of the Scottish county representation; but in that case there was no difficulty, and nothing to disclose. The whole of the voters were enrolled in the list of freeholders; and the information which had been obtained with regard to them, was not obtained through the medium of a committee. In the appointment of this committee, therefore, there must be some ulterior object—some other end in view. If this were not the case, why had the noble lord never thought of the committee till the present session? The House ought to pause, and consider, that the granting of this motion would prejudice the question of parliamentary reform. When that question came to be discussed, he was anxious to meet it fairly; but he was unwilling that it should be carried by a side-wind. If it were carried, the country would consider that the House was committed; and for that, as well as for the other reasons to which he had adverted, he would oppose it. Had it been merely the information that had been required, he would not have objected to it; but he would oppose the committee.

Lord *J. Russell* said, that if the gentlemen opposite would agree to afford the returns for which he had moved, he would give up the committee.

Mr. *Peel* could not pledge himself as to the opinion he would give upon any motion which was not before the House; but he would meet it on its own merits when it was brought forward.

Mr. *Creevey* said, that when he had on a former evening addressed the House on the subject of the petition of the city of London, he had stated, that the population of Great Britain had increased, from the year 1700 to the present time, from 5,000,000 to 12,000,000; and yet that, during this enormous addition to our people, the monopoly of the elective franchise in cities and boroughs had been stationary, or had rather decreased; that, by way of example, whilst Manchester, Sheffield, Birmingham, and Leeds, had arrived at that degree of wealth and consequence, that they might justly be considered the strength of the nation, in talent, enterprise, and industry, 1,900 voters in the county of Cornwall retained a monopoly of the elective franchise, by which they sent to parliament as many members as were returned by one-half of the counties of England, and the great towns to which he had referred returned none at all. They had the population returns laid before them last session; and why, he wished to know, should there not be produced as accurate a return as could be possibly made out of the number of voters in each borough? The right hon. gentleman, and his right hon. colleague, who had supported him in opposing the motion, stood forward and said, "We will admit the number of voters in boroughs to be as few as you please to assert." But, was the House to be thus satisfied? This was the first time he had ever heard that, because a minister of the crown thought proper to say, "I admit such a point to be fact," therefore, the House was to consider his declaration as sufficient for the purpose of any contemplated motion. If any other description of return were asked for, what would gentlemen say, if the answer given by ministers was, "It is not necessary to produce it; we admit the fact to be as you state it?" The House had an indisputable right to this return; and it was the only one which could possibly put them in possession of the necessary information with respect to the representation of boroughs. There was another reason besides that, which grew out of the population of those boroughs and towns, which induced him to support the motion. That reason was, the caprice with which the elective franchise had been granted to different bodies. He had stated on a former night, that from the time of Henry 8th to the reign of James 1st, no less than 190 members were added to the House of Commons; and 44 were added in the time of Edward 6th, an infant, who was nine years of age when he ascended the throne, and only fifteen when he died. In his opinion, they had a right to have this return laid before them, without bringing the different charters of the boroughs under the consideration of a committee as a subject of debate and litigation, but merely to show in what way various kings and princes had granted the elective franchise to various boroughs. They had as good a right to a return of this description as they had to the population return. But gentlemen were not aware of the law which related to those boroughs; and he called their attention particularly to it, because he had spoken on the subject with many well-informed persons, who were ignorant of it, and he was sure the country at large were still more so. An act was passed in the first year of Henry 5th, by which it was provided (and this, be it observed, was the common law before the period at which the act was introduced), "that no burgess could be elected for any city or borough, unless he was a resident therein." This continued to be the law until the 13th of Elizabeth, when a bill was brought in, the title of which was "A Bill for the Validity of Burgesses not resident." That bill, on being introduced to the House, was warmly opposed; and there was a speech upon record, delivered by a member who was hostile to the measure, in which he stated all the objections that could be entertained against this new spirit of legislation, by which it was attempted to open those boroughs to strangers. Amongst other things, he said,—"I run wholly with the pretence of the bill, that boroughs decayed may be eased or relieved, knowing the same honourable for the realm, and in many respects profitable and commodious to those who do inhabit the countries adjacent to such decayed towns; that it is so I will not stand to dissuade. How far this law may help them, I know not. To open my meaning shortly, the question is, what sort of men are to come to this court and public consultation in parliament; whether from every quarter, country, and town, there should come (as I might say) home-dwellers, or otherwise men chosen by directions, it forceth not whom? I am surely of mind, that neither for the good service of her majesty, safety of our country, or standing with the liberty, which, of right, we may challenge (being born subjects within the realm), this scope is to be given; or such looseness in choice to be permitted. That they should be the very inhabiters of the several countries of this kingdom, who should be here in times certain employed, doubtless it was the true meaning of ancient kings and our forefathers, who first began and established this court. The old precedent of parliament writs do teach us, that of every country their own burgesses should be elected. The statute in the first Henry 5th, for the confirmation of the old laws, was therefore made, and not to create a new unknown law. I mean this wholly to no other end; but since we deal universally for all sorts and all places—that there be here of all sorts and all countries, and not (seeing you list so to term it) thus to ease them of towns and boroughs, that they may choose at liberty whom they list. Mischiefs and inconveniencies there may grow by this liberty; but a mischief it may be to me, and inconvenient also to utter the same; I will not speak thereof but dutifully; neither do I see any thing that is amiss at this present. What was done a hundred years since; I may safely tell, and thus it was:—A duke of this realm wrote his letters to a city, which I know, to this effect; whereby he did signify, that a parliament was to be summoned in short time, and that, for great causes, he was to crave aid of all his friends; and reckoning them amongst the rest, he wished them, of four under nominated, to choose two. The letter under the duke's seal is still preserved; but hear you the answer. He was written to with due humbleness, that they were prohibited by law, they might choose none of them. I will venture a little nearer. In queen Mary's time, a council of this realm (not the queen's privy council) did write to a town to choose a bishop's brother (and a great bishop's brother it was indeed) whom they assured to be a good Catholic man, and willed them to choose the like of him, some other fit man. The council was answered with law. And if all towns in England had done the like in their choice, the crown had not been so wronged, nor the realm so robbed, with such ease at that parliament, and truth banished as it was. What hath been, may be; there is no impossibility. It will be said I mistake, it is not meant but that towns shall be at liberty to choose whom they list. I say, that liberty is the loss of liberty; for when by law they may do what they will, they may not well deny what shall be required. It is too truly said, 'rogando cogit qui rogat potentior.' Surely law is the only fortress of the inferior sort of people; and contrary to the law, the greater sort will not desire to expect any thing."—This was the way (continued Mr. Creevey) by which boroughs were protected from the invasion of strangers, up to a very late period. The bill to which he had just alluded, which was brought into the House in the 13th of Elizabeth, for the purpose of repealing the 1st of Henry 5th, and dispensing with residence in burgesses, was defeated. He knew not whether the speech from which he had read an extract, had or had not occasioned its ill success; but it never went beyond a second reading and commitment, nor were its provisions carried into effect till the passing of the act of the 14th of Geo. 3rd, cap. 58. At this day, the residence of a burgess was no longer necessary in the city or borough he represented—they were all open to strangers. Peers, who were perfect strangers to the county of Cornwall, for instance, went down in the face of day to take possession of boroughs, and of electors, whom they had purchased. The respectable and philosophical member for Bodmin (Mr. D. Gilbert) had, he believed, lately given possession of a number of freemen to a noble lord. [Hear, and laughter]. He only knew this through the newspapers; but the ingenious and philosophical representative of Bodmin seemed to admit the fact. The noble peer went down, and took possession of his purchase, just as another man would take possession of an estate. The market was open to all who chose to go there for the purpose of speculating in parliamentary influence. It was now a common question, whether this or that peer had laid in any new investment of freemen, in this or that particular place. When things came to such a pass as this, it was fitting that the wealthy and enlightened population of those great towns, which formed the strength of the empire, should know, not only who possessed the elective franchise, but who were the universal venders of borough influence. There was no question about charters. They would not be affected by the proceedings of the committee. The right hon. gentleman had asked, how such a return could be made? It could only be made by assembling the electors. He saw no difficulty in laying before the House the dates of the different charters, the names of the different kings and queens under whom the elective franchise was granted, and the number of electors in each borough. This was the only way by which the true state of the representation could be ascertained; and, if this motion were refused, it must strike every body, as had been observed by his learned friend, that the return was withheld, because that House was really ashamed to expose its present state.

Lord *Milton* said, he merely rose for the purpose of ascertaining precisely what the real ground was upon which his noble friend's motion was to be resisted. He felt it extremely difficult to reconcile the ground of opposition laid down by the right hon. member for Harwich, with that which had been adopted by the right hon. member for Oxford. The first defended the present borough system, on the broad ground that it was fitting such a state of things should exist; while the other right hon. gentleman took quite a different course, and asked, "Will it be prudent to expose the defective state of the representation?" Now, was the motion to be resisted on the ground of its being imprudent to expose those defects, or for the reasons advanced by the right hon. member for Harwich? That right hon. gentleman stated, that the House had at present all the information which it was possible to collect on the subject, and that he would have no objection to more accurate information, if he could devise the mode of obtaining it. But the right hon. member for Oxford placed his objection on a different ground. The former would grant the information, if he could devise any mode by which it could be obtained; but the latter objected, not on account of the difficulty of procuring information, but on account of the matter that would be forthcoming. Now it appeared to him, that his noble friend's motion was rather defective in its object; because it struck him, that population was not that alone on which representation rested. If his noble friend wished to adduce all the grounds on which this important question stood, the House ought to have, not only a return of the electors, but also of the gross amount of the population of the different boroughs; and looking to the population returns, he would find it extremely difficult to obtain a correct account of the whole population in the various boroughs. There was another point, too, which, he conceived, ought to be ascertained. They ought to have an account of the direct taxation of those bodies. If they considered the connexion which was admitted by all to exist between taxation and representation, it was necessary to have an account of this kind.

The House divided:—Ayes, 90; Noes, 128. Majority against the motion, 38.

List of the Minority.

Allan, J. H.
Althorp, visc.
Barratt, S. M.
Becher, W. W.
Belgrave, visc.
Bennet, hon. H. G.
Benett, J.
Benyon, B.
Bernal, R.
Boughey, sir J.
Browne, Dom.
Calcraft, J. H.
Carter, J.
Caulfield, hon. H.
Chaloner, R.
Clifton, lord
Coke, T. W.
Colborne, N. R.
Creevey, T.
Cradock, S.
Davies, T. H.
Denison, W. J.
Denman, T.
Duncannon, visc.
Dundas, C.
Ebrington, visc.
Ellice, E.
Ellis, hon. G. A.
Farrand, R.
Fergusson, sir R. C.
Folkestone, visc.
Glenorchy, visc.
Hamilton, lord A.
Heathcote, J. G.
Heron, sir R.
Hobhouse, J. C.
Honywood, W. P.
Hornby, Ed.
Hume, J.
Hurst, R.
Hutchinson, hon. C. H.
James, W.
Johnstone, W. A.
Lamb, hon. G.
Langstone, T. H.
Latouche, R.
Lawley, F.
Lethbridge, sir T.
Leycester, R.
Lushington, S.
Maberly, John
Maberly, W. L.
Macdonald, James
Marjoribanks, S.
Martin, J.
Milton, visc.
Maxwell, John
Monck, J. B.
Moore, Peter
Newman, R. W.
Normanby, visc.
Nugent, lord
Ord, Wm.
Palmer, C. F.
Pares, T.
Pelham, J. C.
Philips, G.
Philips, G. H.
Price, Robt.
Prittie, hon. F. A.
Pym, Francis
Ramsden, J. C.
Rice, T. S.
Ricardo, D.
Rickford, W.
Robarts, A. W.
Robarts, G. J.
Robinson, sir G.
Scarlett, J.
Sebright, sir J.
Sefton, earl
Smith, W.
Stewart, W.
Warre, J. A.
Whitmore, W. W.
Williams, John
Williams, W.
Wilson, sir R.
Winnington, sir T.
Wyvill, M.

TELLERS.

Russell, lord J.
Abercromby, J.

HOUSE OF COMMONS.

Friday, February 21.

ALTERATIONS OF THE CURRENCY—PETITION OF MR. THOMSON.]—Lord *Folkestone* said, he held in his hand the petition of a gentleman of the name of Thomson, to which he wished to call the particular attention of the House. The case of this gentleman was one of extreme hardship; and although gentlemen might have some difficulty in making up their minds as to the mode of giving relief, he thought, when they had attended to the case, they would almost unanimously agree that something ought to be done for him. He thought the House would agree, that this was a case in which the petitioner was entitled to relief, for he had been involved in these difficulties by no fault or extravagance of his own, but by the delays of the court of chancery, and the depreciation which had taken place in the value of property. The hon. member for Hertfordshire had come to him (lord F.) in the course of the preceding day, and stated, that he did not think this by any means a case of hardship; for that Mr. Thomson had made a wild, improvident purchase, and that his misfortunes were the necessary consequences of his own rash speculations. He had made inquiries with a view to ascertaining the correctness of this statement, and he would leave the House to judge from the petition itself, whether the case of the petitioner was that of a rash speculator in land, who had no claim to relief.—The petition was from Charles Andrew Thomson, of Chiswick, in the county of Middlesex; and the allegations of it were as follow:—

"That your petitioner has, for many years past, paid large sums of money, out of the produce of his industry, for the support of the government and laws of the country; that he has always been taught to believe, that, in return for this support, he had a right to expect from the government and laws protection in the rightful enjoyment of his property; but that he has, by that government and by those laws, been despoiled of his property, and that, from a state of opulence, he has, by the unjust effects and irresistible force of acts of parliament, been reduced to a state of ruin and bankruptcy.

"That your petitioner imputes no intentional wrong-doing to your honourable House, or to any branch of the government; that to err is not to be criminal; that it is not given to man to be free from error; that from error wrong may innocently be committed; and that of that obstinate perseverance in error, which converts unintentional wrong into premeditated injustice, your petitioner confidently hopes that he is not doomed to witness an instance in the conduct of your honourable House.

"That your honourable House has not now to be informed of the mighty mischiefs resulting from the measures for returning to cash payments, unaccompained as they unhappily were with measures for rectifying contracts; that the cries of thousands upon thousands of families, suddenly plunged into penury and want, from a state of ease and of plenty, cannot fail to have reached the ears and to have awakened the compassion of your honourable House; but that, amongst the thousands upon thousands of sufferers, your petitioner believes, that the case of few can exceed, in hardship and injustice, that to which he now most earnestly begs the attention of your honourable House.

"That your petitioner and his father (now deceased) were Oporto merchants for thirty years, and in the most extensive trade; that, in this trade, and in that of wine merchant, in which your petitioner's father had been for many years previous to those thirty, they gained a large fortune; and that in 1811 and 1812 they, with a part of their capital, made divers purchases of land.

"That they purchased the estate of Northaw, in Hertfordshire, for which they paid, in ready money, 62,000*l.*; on which estate they built two excellent new houses and six cottages, and broke up 200 acres of land, which they brought into a state of fine cultivation; that the whole of these improvements cost them 10,000*l.*, and that the estate, therefore, has cost them 72,000*l.*

"That in 1812 your petitioner and his father bargained for the estate of Pontrylas, in Herefordshire, for 60,000*l.*, the proprietor of which estate was John Ashfordby Trenchard, doctor of divinity, of Highworth, in the county of Wilts, and paid 5,555*l.* as a deposit; that the title was by the law adviser of your petitioner deemed not good, and that your petitioner accordingly refused to complete the purchase, and brought an action for the deposit; that the vender applied to the court of chancery to stop the action; that the question remained undecided in that court until 1819, during which time your petitioner had not the power to sell the estate; that at the end of that period the vice-chancellor decided against your petitioner; that there was then due to Trenchard for purchase money and interest thereon, 71,957*l.* 19*s.* 5*d.* and from Trenchard to your petitioner for rents received 6,839*l.* 1*s.* 9*d.* making a balance against your petitioner of 65,118*l.* 17*s.* 8*d.*

"That in the mean time your petitioner had experienced great reverses in his commercial affairs, in consequence of the same all-ruinous cause, and, being unable to pay the sum of 65,118*l.* 17*s.* 8*d.* gave to Trenchard a mortgage for 65,000*l.* on the estates of Pontrylas and Northaw.

"That between the year 1819, when the chancery suit was decided, and July 1821, your petitioner paid in part of the debt of 65,000*l.* the sum of 5,000*l.*; and 8,000*l.* interest on the same up to July 1821.

"That on the decision of the chancery suit your petitioner was put into possession of the estate, and continued in possession until he became bankrupt; during which time your petitioner received, on account of rent and timber, 3,410*l.*

"That in July 1821 your petitioner offered the two estates for sale, but could not obtain for them a price at all equal to his expectations, or the amount of the sum for which they were mortgaged.

"That in October 1821 your petitioner became a bankrupt.

"That Trenchard thereon took the proper legal steps to retain the profits of the estate, and has since given notice of fore-closing the mortgage.

"That thus your petitioner has actually

Paid to Trenchard 18,555*l*., while he has received from the estate 3,410*l*., and is in danger of losing both this estate and his estate at Northaw, which cost your petitioner 72,000*l*.

"That, on the other hand, Dr. Trenchard has received in cash from your petitioner 18,555*l*.; together with the whole rents of the estate, from the time of sale up to the year 1819; and that he has now applied to the assignees of your petitioner for leave to take the two estates, together with all arrears of rent, which are due from February 1820 (and which, together with timber felled, your petitioner estimates at about 3,500*l*.) in lieu of the debt of 60,000*l*.

"That the assignees of your petitioner are now praying the court of chancery to agree to the above proposal, and that if the prayer should be granted, Trenchard will have received the whole rents and profit of the estate except for two years, and 1,470*l*. for timber; that he will have been paid 18,555*l*. by your petitioner; and that, in addition to his own estate, he will have acquired the estate of Northaw, which cost your petitioner 72,000*l*.

"That your petitioner and his deceased father purchased other estates, in 1811, in the counties of Middlesex, Essex, and Hants, for 33,166*l*. which have now been actually sold for 12,000*l*.; that your petitioner and his father, owing to the depression in the price of land, and to a like depression in that of their stock in trade, were, in 1821, reduced to a state of bankruptcy; that seven children of your petitioner, ten children of his brother, and seven children of his sister, will now be left wholly destitute, while your petitioner's father, with a heart broken by these calamities, died in the year 1822.

"It is to prevent this act of crying injustice and cruelty, that your petitioner humbly implores your honourable House to interpose the exercise of that power which you possess, for the purpose of protecting his majesty's people against oppression. Your petitioner thinks it wholly unnecessary to take up the time of your honourable House in showing, that this threatened confiscation of his property has arisen wholly from those legislative measures which have produced that change in the value of money, which has taken two-thirds from the price of agricultural produce, and which has, of course, lessened, in the same degree, the price of land. His case is so plain, that it cannot be misunderstood; and, therefore, begging leave to remind your honourable House of the Bank-Suspension Act in 1797, of the suspension of actions against the non-resident clergy in 1800 (which actions were afterwards quashed by an act of your honourable House) and of the suspension of the landlord's power of distress against tenants, in 1812; your petitioner begging leave to remind your honourable House of these precedents, most humbly prays your honourable House to suspend the power by which the mortgagee above-mentioned may be enabled to take from him his estate; and he further prays your honourable House to cause such equitable adjustment of contracts between man and man, as may prevent the utter ruin of your petitioner, and of the numerous persons dependent for their bread on his pecuniary means. And your petitioner will ever pray."

Ordered to lie on the table.

NAVY ESTIMATES.]—The House having resolved itself into a Committee of Supply,

Sir *J. Osborn* said, that the estimate for the service of the navy differed somewhat from that voted last year. The number of seamen proposed this year amounted to 25,000 men, instead of 21,000, the disturbed state of South America, the West Indies, and the Mediterranean having rendered the addition of 4,000 men necessary. There was also a small increase in the rate of wages, amounting to 6*d*. per head, the monthly expense for each man amounting to 2*l*. 7*s*. He then moved, "That 25,000 men be employed for the Sea Service for thirteen lunar months, from the 1st of January, 1823, including 8,700 Royal Marines."

Mr. *Brougham* was rather surprised that a larger number of seamen had not been voted, considering the alarming state of Europe. Indeed, when he reflected upon that most alarming state, he felt a difficulty in reconciling a vote for so small a number of seamen, with the dangers to which the commerce, and eventually the honour and safety of the country, might be exposed. There was still, however, this alternative, and it was a consolatory one, that the supply which any emergency might call forth, was not limited by this vote. The voting of 25,000 men that night, did not take away the power of increasing the number to any extent that might be required. He knew that the House were aware that they possessed this power; but he was afraid that there might be others who were ignorant of it. He should regret if any person abroad—especially any person connected with the governments on the continent of Europe—should, in the present aspect of affairs, have any ground even for a momentary belief, that our navy for the year was to be limited to 25,000 men. He should like to have it said, on the part of the ministers of the crown, that, should the aspect of affairs render the service of a greater number of seamen necessary, that number would be instantly demanded of the House. He was sure, that if the servants of the crown did come down to the House to make such a request, they would obtain it without one observation in the House; and not merely their consent, but the approbation of the people without. He was sure, that should any emergency arise, the servants of the crown would meet with every encouragement in their support of the honour of the crown and the independence of the country. He was sure that they would follow up the manly and constitutional declaration which had been made on a former evening; and, if government showed the disposition, he was sure that the people would supply them with resources for supporting the honour and dignity of the country.

Mr. Secretary *Canning* said:—I take occasion, Sir, from the few sentences which have fallen from the hon. and learned member, to offer my acknowledgments for the manner in which he has expressed his opinion. Undoubtedly, the present vote no more limits the liberality of parliament, than it limits the capacity of the country. If an occasion should arise to render it necessary to enlarge the supply, there will be no hesitation, on the part of ministers, to come down to this House with an explanation of the circumstances that require an increased vote. But having said this, for the purpose of obviating any possible mistake that might be entertained as to the powers of this House, I am sure the committee will pardon me if I stop here—assuring them, that the present state of Europe is one, on which the discussions in this House can produce no greater effect than has been already produced by preceding discussions; but on which they may possibly do harm. Much as it is the wish, and much as it is the want, of this country, as well as of Europe, to preserve the peace of the world, yet, in this consideration, there enters no feeling of apprehension. Confident as the country must be in its own inexhaustible resources, and in the disposition of parliament to maintain the integrity of those resources and of the public credit, there will be no want of exertion, if the necessity for exertion should arise.

The several resolutions were agreed to.

FINANCIAL SITUATION OF THE COUNTRY.]—The House having resolved itself into a Committee of Ways and Means,

The *Chancellor of the Exchequer* rose, and addressed the committee as follows:*

Mr. Brogden;—If, sir, I do not, upon the present occasion, ask any peculiar indulgence from the House, it is not that I do not feel how much I stand in need of it; but it is because I feel, that, having voluntarily undertaken to discharge the duties of the office which I now hold, I am necessarily bound at the same time to incur all the responsibility that may belong to it. I trust, however, that I may venture to ask for a patient and a candid hearing; patient, because I fear I must detain the committee for a considerable time; and candid, on account of the great importance of the subjects upon which it will be my duty to enlarge. And I own that I am the more anxious to request that attention from the committee, because it is impossible that I should not feel under what disadvantage I address the House upon a subject of this nature, when I recollect that I stand in the place of one, whose many talents,—whose long experience,—whose amiable character, and whose unsullied integrity, claimed for him and obtained for so many years the respect and esteem of the House. I confess, however, that I make my appeal with some confidence, because I must acknowledge with gratitude, that whenever, upon former occasions, it has been my lot to address myself to the House, I have always experienced the kindest and most encouraging reception. The best return that I can make for the attention which I may now receive, is by being as brief and intelligible as possible. Brevity is always desirable in opening any large and varied question to the House; and there is no subject upon which a minister is more bound to be clear, explicit, and intelligible, than when he is called upon to explain to parliament the state of the finances of the country. If, indeed, I could be so dishonest as to wish to involve any part of the subject in mystery and obscurity, it would be an attempt as useless as absurd; for I well know that there are many persons in the House, whose duty it would be to watch my statements with scrupulous vigilance, and who are abundantly capable both of detecting fallacy and of dissipating obscurity. Whether, therefore, I look to my own personal interest, or to my paramount duty to the public, I must be anxious to render myself as intelligible as possible.

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With this view, sir, it is my intention to lay before the committee, 1st, The actual revenue, expenditure, and surplus of last year;—2ndly, The estimated revenue, expenditure, and surplus of the present year;—and, 3rdly, The mode in which his majesty's government would recommend to parliament to deal with that surplus. Having stated to the House these propositions, without argument or comment in the first instance, I shall proceed to give such explanations and make such observations as appear to me to be material to elucidate and to enforce the view which I take of these important questions. First, then, as to the revenue of last year. The account of this is to be found in a paper which has already been laid before the House, and I therefore need do no more than refer gentlemen to that paper, and recapitulate the general items of which it is composed.

It appears, from that return, that the total revenue amounted to ...	54,414,650
The total expenditure to	49,499,130
The surplus to	£.4,915,520

With respect to the revenue and expenditure for the present year, my estimate is (and I shall by-and-by explain the grounds upon which it is formed), that the revenue, after deducting the loss which it may be expected to sustain by the full operation of the reduction of taxes effected in the last session, will produce from the same sources as were available last year, not less, and perhaps somewhat more, than 52,200,000*l.* To this will be to be added 4,800,000*l.*, to be received from the trustees of half-pay and pensions. The total therefore will be about 57,000,000*l.* I calculate the expenditure at 49,852,786*l.*, which will be occasioned by the following charges: viz.—

Total charge of funded unredeemed debt, including interest, long annuities, and management	£.28,124,786
Other charges on the consolidated fund, such as civil-list, pensions by act of parliament, and various items of that description	2,050,000
Annuity to trustees for half-pay and pensions	2,800,000
Army..............	7,362,000
Navy..............	5,442,000
Ordnance	1,380,000
Miscellaneous	1,494,000
Interest of exchequer bills.............	1,200,000
	£.49,852,786

The result, then, is this, that taking the revenue at..........	57,000,000
The expenditure at ...	49,852,786
The surplus will be ...	£.7,147,214

The next point which I have to state, is the mode in which his majesty's government think this surplus would be most advantageously applied; and what I mean to propose is, that the larger proportion of it, amounting to 5,000,000*l.*, should be applied to the reduction of debt, and the remainder to the remission of taxes. That remission will be upon the assessed taxes; and I shall presently explain in detail the manner in which I propose to apportion the reduction which I contemplate.

Having thus stated, in general terms, the revenue and the surplus of last year—the estimated revenue, expenditure, and surplus of the present—and the intended application of the surplus, it is now my duty to bring under the consideration of the committee such observations as appear to me to arise out of that statement.

In the first place, I must call to the recollection of the committee that part of the Speech from the throne, in which his majesty told us, that the revenue of the last year had exceeded his majesty's expectations; and I trust that I shall be able to prove to the committee, in the most satisfactory manner, that the government were fully justified in introducing those words into his majesty's Speech. For, although it appears, from the papers which are before the House, that the actual surplus of last year's revenue did not quite reach the amount of 5,000,000*l.*, it is nevertheless essential to consider what that revenue and surplus would have been, if, in the course of the year, there had not been carried into effect certain most important financial operations, which, whilst, on the one hand, they occasioned a material and immediate defalcation in the revenue, could not be accompanied by a contemporaneous diminution of expense. At the commencement of last session, an estimate of the revenue and expenditure of 1822 was laid upon the table, by which it appeared, that a surplus might be expected of 5,260,000*l.* This estimate was founded upon the supposition, that the rate of taxation and its nett produce during the year, would continue the same as it had been during that which had just elapsed; but it will be recollected, that not long after that paper had been laid before parliament, a noble lord (to whom I never can allude without feelings, which, in this place, and in the discharge of my present duty, I ought perhaps to repress, though I could not eradicate) informed the House, that his majesty's government had devised a mode by which they proposed (and they flattered themselves that they could propose it successfully), to effect a considerable reduction in the annual expenditure of the state, and to enable parliament at the same time to give to the people a corresponding reduction of their burthens:—I allude to the plan for reducing the 5 per cents to 4. It was calculated that the saving of charge by this operation, would amount to 1,400,000*l.*, which would be fully sufficient to balance the loss to be incurred by the revenue from the accompanying diminution of the malt tax. It is obvious, however, that the two operations could not be exactly contemporaneous. The reduction of the malt tax became immediately necessary, so soon as the intention of affecting it was announced, and it actually commenced from the 5th of April. But the diminution of the interest upon the old 5 per cents could not possibly take place during any part of that year, because it was necessary to the efficacy of the plan, to leave to the holders of that stock their full interest for the half yearly payment, which became due in the month of July. The loss which the revenue sustained from this circumstance upon malt alone, was not less than 1,400,000*l.*, including nearly 300,000*l.* repaid upon the stock in hand. The subsequent reduction of taxes, which took place at a later period of the session, upon salt, leather, hearth, and window tax in Ireland, and upon the tonnage of ships, contributed still further to curtail the total amount of the revenue. In short, I may venture to state, that the total of this curtailment, including all the items which I have just mentioned, was not less than 1,700,000*l.* And since it is obvious that, during so short a period as three quarters of a year, the other branches of the revenue could not have begun to derive any material increase from the beneficial effect of these reductions, it follows, as a necessary consequence, that if no reduction of taxes had taken place, the surplus of last year, instead of being under 5,000,000*l.*, would have exceeded 6,500,000*l.* Do not let it be supposed, that in showing how much larger the surplus would thus have been, I mean to regret, in the slightest degree, the relief which parliament gave to the people;—I am far from entertaining any such feeling; on the contrary, I consider the granting of that relief to have been wise and salutary, and I am satisfied of the propriety of carrying it as much further as possible. I only mention the circumstance for the purpose of showing that his majesty's government were justified, in strictness of fact, in advising their sovereign to inform parliament, at the opening of the session, that the amount of last year's revenue had considerably exceeded his majesty's expectations.

The next point to which I wish to call the attention of the committee, is the ground upon which I estimate the revenue of the present year. I think that, under all the circumstances of our present situation, I may confidently assume, that allowing for the deduction which must take place this year, in consequence of the full operation of the diminution of taxes effected last year, the receipts of 1822 may fairly be taken as the basis of those of 1823. The customs I estimate at 10,500,000*l*: that branch during 1822 produced 10,662,000*l.*; but there must be deducted about 80,000*l.* of tonnage duty received in the first half of 1822 (prior to the abolition of that duty), which will no longer be levied; and in order to be completely within bounds, and to avoid an exaggerated calculation, I am contented to take the customs at the sum which

I have before stated. The excise of last year amounted to 27,271,668*l.* This branch of our revenue lost by the reductions of last year, no less a sum than 1,576,000*l.*; to this I must add in the present year all the additional loss arising (as in the case of the tonnage duty) from the full operation of those reductions which in 1822 applied only to a limited portion of the year: I am not therefore disposed to estimate the excise at more than 26,000,000*l.* The stamps I take at 6,600,000*l.*, which is something less than last year; the post office at 1,400,000*l.*, being less than last year by about 28,000*l.*; and I only admit the probability of even that diminution, because I am unwilling to overstate any thing. The assessed taxes and land tax last year amounted to 7,217,969*l.*: but it will be recollected, that in the course of last session, the hearth and window taxes of Ireland were abolished, and consequently, towards the termination of that year, some loss was sustained upon that head: now, however, we must calculate upon the loss of the whole of these taxes, and I should not therefore be justified in taking the assessed taxes and land tax at more than 7,100,000*l.*, of which the assessed taxes would be 5,900,000*l.*, and the land tax 1,200,000*l.* To these larger branches of our revenue I add various miscellaneous items, which may fairly be taken at 600,000*l.* The result, then, which I feel myself justified in anticipating is as follows:—

Customs	10,500,000
Excise	26,000,000
Stamps	6,600,000
Post-office	1,400,000
Assessed taxes	5,900,000
Land tax	1,200,000
Miscellaneous	600,000
	£.52,200,000

The committee will have observed, that I have formed my calculation upon the receipts of last year. This might at first sight appear to be a sanguine view of the subject; but I think that I am fully justified in entertaining it when I look to the circumstances under which that receipt has been obtained; nay more, were I disposed to build upon mere sanguine expectations, might I not venture to go further, and anticipate not merely an equality, but even an excess? For what are the facts of the case? If we look to the extensive and populous countries now opening to British commerce in almost every quarter of the globe;—if we consider the facilities which commerce in general has derived from the liberal system of policy which this country has recently adopted, by sweeping away the useless lumber of antiquated prejudices and restrictions; if we advert to the growing disposition of other countries to follow our example and to benefit by our experience;—if we admit it to be true in theory, that no trade can be permanently beneficial to one party unless it be equally so to the other:—and if we find that in fact, foreign demand for our manufactures has kept pace with our consumption of the produce of other states, and that in all the great branches of our industry we compete successfully with all our rivals, who can say that I expect too much, when I anticipate a great and gradual increase (not the less valuable because it is gradual) in all those items which constitute our revenue of customs? And here, sir, I cannot but avail myself of this opportunity of adding my cordial concurrence in all the encomiums which have been so justly passed upon my right hon. friend near me (Mr. Wallace). Nothing, sir, in the course of my political life has given me more sincere satisfaction than to have found in him a colleague, imbued with the same principles upon all these subjects, as those which I have at all times advocated, and upon which I have endeavoured to act: from him I have received the most valuable assistance in all those commercial measures which have originated with myself; and I cannot say too much in praise of the unwearied zeal and ability with which he has framed and executed those many changes in our commercial system, which have gained him such universal credit, and so essentially contributed to the permanent interests of the country. Looking forward, then, to the future result of this state of things, as connected with our commercial interests, I may confidently say,

> "The wide, the unbounded prospect lies
> before me,"

without being compelled to add, with the poet, that

> "Shadows, clouds, and darkness rest upon it."

We have seen the opening of a brilliant dawn, and we may anticipate without hesitation the steady and glowing splendor of a meridian sky.

Turning now from foreign commerce,

and the revenue consequent upon it, I trust that I shall be able to draw from the state of the excise, and the manner and degree in which it has increased, an equally flattering picture of the general ease and comfort of the great mass of the people. I lament indeed most sincerely the severe distress which still prevails in particular districts of the country, and which continues to press with so much weight upon a particular class of the community: but when I refer to the account which I hold in my hand, containing the amount of exciseable articles charged with duty during the past year, and compare it with the average of the three preceding years, I find the proof of an increased consumption of beer, bricks, candles, hides, glass, malt, paper, pepper, printed goods, salt, soap, British spirits, foreign spirits, starch, tea, tobacco; in short, of all articles essential to the support and comfort of the people. Is this no indication of ease,—is this no symptom of present improvement, no just ground of favourable anticipation of the future? I might rely upon this document alone as a proof of what I have advanced; but I appeal to further and equally decisive evidence; I call to witness all those members of the House who are acquainted with the condition of those great masses of our population which are congregated in the manufacturing districts. What was the state of that population three or four years ago, when they laboured under the severe pressure of acknowledged distress, and what is its actual condition? Where is the disquietude, the tumult, the sedition, the outrage of that period? Vanished. What have we in their place? Peace, order, content, and happiness. This circumstance is of itself an unequivocal proof of the improved condition of the people, and I confess that I look upon it with infinite satisfaction, because it clearly establishes this; that, whatever tendency to discontent—whatever actual outrages artful and designing men may excite when want of employment and attendant poverty press upon the people, there is in that people a genuine love of their country, and a deep-rooted and sincere attachment to the principles and practice of the constitution. It is this conviction of the true character of the people of England, which has always made me feel the deepest regret whenever their temporary errors and excesses have compelled me to acknowledge the necessity of giving additional severity to the law.

But, sir, I cannot quit this part of the subject without adverting to another point, which appears to me to furnish another decisive proof of the truth of what I have stated;—I allude to the savings banks. It is perhaps a small matter in itself, when one is talking of the whole property of the country, but it is of peculiar importance in its relation to the labouring classes: and I have the satisfaction of stating, that during the last year there has been a very large addition to their accumulations, both as to the number of contributors and the amount of the deposits. I know it may be said, that much of the increase arises from the deposits of those, who, strictly speaking, ought not to be contributors to such a fund, exclusively adapted to the poor. To a certain degree this may be true; but it is not of itself sufficient to account for the great increase which has taken place; and I am satisfied that those who have any practical knowledge of the progress of these institutions, will bear me out in asserting, that by far the larger number of the contributors are in the humbler walks of life. These institutions, therefore, I deem to be amongst the greatest blessings which have ever been conferred upon the poor, and I hail their prosperous condition as the most unequivocal proof of the moral habits, the increasing ease, and the growing comfort of a large portion of the community.

Independently of these circumstances to which I have referred, as indicating a reasonable probability of a gradual increase of the revenue, I have now to call the attention of the committee to another matter, affecting that portion of the gross receipts which is in various ways diverted from its course, into the exchequer;—I mean particularly the expense of collection. I flatter myself, that by vigilant attention to this subject, it may be found practicable to effect by degrees no inconsiderable savings under this head; but in making this admission, I wish it to be distinctly understood, that much has already been done, as I trust I shall be able to show by a reference to the document before me. I should have been extremely glad, if it had been in my power to have laid upon the table an account of the expense of collection during the last year, but I have found it as yet impossible to procure it in any complete form; but, in default of that account, I must rely upon one which details the items of that charge for the four preceding years. If I take as a sample of the whole, the head of customs in Great Britain (which, from obvious causes, is the most expensive branch), it appears that the expense was as follows:—

For 1818	£.1,327,621
1819	1,231,991
1820	1,097,773
1821	1,069,282

Showing a progressive diminution from 1818 downwards, of no less than 258,339*l.* It might undoubtedly be argued, that this reduction has been insufficient: be it so; it is a fair matter of discussion and argument: but at all events, I contend that I am entitled to assert, that what has been done in this respect, is a *primâ facie* proof that the government has not been neglectful of its duty, and has not overlooked the necessity of effecting all practicable savings in this important branch of our general expenditure. In claiming this merit for the government in general, I am bound in justice to say, that it is especially due to my right hon. friend, the paymaster of the forces (sir C. Long), who, in conjunction with my hon. friend near me (Mr. Herries), has applied his intelligent mind, and his extensive experience, to the particular consideration of these subjects, and who has pointed out and recommended a great variety of material alterations and improvements, which are now in a regular course of adoption, and will ultimately produce very considerable savings.

If, however, I turn from the collection of the revenue of England to that of Ireland, it is there that I believe it is expected that most may be done, and where I pledge myself that much shall be done. The committee will recollect, that about two years ago a parliamentary commission was appointed for the purpose of inquiring into this matter. The appointment of that commission was opposed by no one; but attempts were made to undervalue its importance, and to ridicule its expected labours; yet what has been the fact? May I not confidently appeal to the result? Never, I will venture to say, did commissioners go forth with a more determined resolution to probe to the bottom the complicated questions which it was their duty to investigate: never were men more resolved to proceed steadily and firmly in their course, in spite of all the obstacles, political and otherwise, by which they might be encountered. What they have already done is before the country; they have thoroughly investigated all the defects which prevailed in the collection of the Irish revenue, and they have suggested a great variety of measures, calculated to remedy the evils of which they have established the existence. If such has been their conduct, let me now ask, sir, has the government been backward in performing their part? I answer distinctly—No. No sooner had the report of the commissioners been laid upon the table of both houses of parliament, than my noble friend, at the head of the king's government, declared, that he was resolved to adopt their recommendation, and to give the fullest effect to their labours. In pursuance of this declaration, it will probably be my duty, at no distant period, to submit the necessary measures to the House; or, if it should be more correct, that the bills should originate with the commissioners themselves, I shall be found most ready and most anxious to give them my cordial support and assistance. I state this with the more earnestness, because, as these measures will necessarily involve a large diminution of official influence, I shall be happy to give this practical proof of the unfounded nature of those imputations which have been cast upon me personally, of being the special friend and advocate of ministerial patronage.

I come now, sir, to the estimated expenditure of the present year, the total of which I have already stated, and of which the following item composed the most material part, at least that part which is most interesting to the House:—

Army	£.7,362,000
Navy	5,442,000
Ordnance	1,380,000
Miscellaneous	1,494,000

Let us advert a little to the amount of these items, and compare them with the corresponding estimates of former years, and particularly with the estimate of the committee of finance of 1817. I am well aware, that upon these matters it is the lot of all administrations to be charged with profligate extravagance and criminal indifference to the wishes, the feelings, and the wants of the people: parliament itself is not exempt from these accusations. But surely, sir, this is most unjust; surely some discretion should be left to the government in the detail of these matters; and it does not follow, that because the government are not prepared to reduce this or that particular item of expenditure upon the mere *ipse dixit* of any individual, that therefore they are to be loaded with the reproaches which are occasionally heaped upon them. Gentlemen ought to make some allowance for the grievous (I should rather say the awful) responsibility under which ministers necessarily act in preparing the estimates upon these heads. We are bound to watch over, and to maintain the security of the state; we are bound to look beyond the mere surface of things, and to be prepared for contingencies, which, however remote, may yet arrive. This is one of our first duties, and if it be not the duty of those who are not responsible, to look to the same objects with the same eyes, at least it ought not to be urged against us as a reproach and as a crime. But, in truth, the only just way of estimating the *animus* of the government in questions of this sort, is to look at them not merely in minute detail, but upon a large scale; and I wish therefore now to draw the attention of the committee to the comparison to which I have before alluded. If we compare the estimates of this year for the army, the navy, and ordnance, with the grants of 1822, we shall find that, notwithstanding the increase of the navy, the total sum is less by 470,000*l*.; had there been no increase of the navy, the difference would have exceeded 600,000*l*.—

As compared with 1821 it is..	£.1,957,000
1820	2,971,000
1819	2,156,000
1818	2,449,000
With the estimate of the Committee of Finance of 1817..	1,335,000

The importance of this comparison will be more apparent, if I notice the other items of our annual supplies, particularly the miscellaneous grants; adding all these to the heads already stated, and comparing them with the grants of 1822, and the estimate of the finance committee of 1817, I find a total diminution as regards the former, of 971,000*l*., as regards the latter, of 2,671,000*l*. Who, then, can say with justice that we have done nothing? Who can fairly deny to us the admission, that whilst we have provided for the necessary services of the state, upon an adequate and efficient scale, we have practised a substantial economy, and produced a substantial saving? Let me then claim, both for ministers and for parliament, an exemption from the reiterated accusation of proposing on the one side, and abetting on the other, a systematic course of profligate extravagance.

It is under these circumstances, sir, that we find ourselves in possession of the surplus which I have already pointed out. How, then, are we to dispose of it? There are obviously three modes of acting in such a case:—1st, You may abolish it entirely, and remit taxes to its whole amount;—2ndly, You may apply the whole of it to the reduction of debt;—and, 3rdly, You may act upon a combination of the two former principles. His majesty's government decidedly recommend the last mode of proceeding, which they conceive to be not merely in strict accordance with the principles already recognised by parliament, but most essential to the best interests of the country. Why should we depart from this policy? Why, above all, should we select this particular moment for effecting so great a change in our system, as to lay it down as a principle of our policy, never to attempt in peace to diminish a debt accumulated in war? Does not this principle involve in it that of an indefinite and hopeless extension of our debt? For who shall say what exertions we may be called upon to make for the preservation of our honour and our national independence? Who will assure to us that we never shall be called upon again to have recourse to that great and powerful bulwark, the credit of the country, to give us the means of self-protection? And if that necessity should arise, it is obvious that in a mere pecuniary sense we should be great losers by the additional interest which we must expect to pay, if we systematically deprive the lenders of all prospect of repayment. But, sir, it is in reference to higher objects that I deprecate this fatal policy; fatal, not merely as it regards those particular circumstances in our situation, which have been alluded to in the former part of this evening, but as it regards our general strength and power. We know how great a proportion, not less than one-half, of our present burthen, arises from the pressure of our debt; we feel and acknowledge the degree to which it weighs down the energies of the country,—we know the hostility with which it is assailed, and the alarming doctrines which are so extensively and actively inculcated, that the people have no remedy for their distresses but some seizure of the public debt, some act of violent spoliation, some desperate attempt to relieve one class by committing a robbery upon another. I am happy to find that these sentiments appear to be congenial with the feelings of the House, for I am persuaded, that if we were to lay it down as a rule of our policy, never to attempt to reduce the debt, by the just, the legitimate, and, I am happy to say, the practicable method which is within our reach, and should thereby hold out the dreary prospect of its possibly indefinite extension, we should furnish an additional stimulus to the designs of those who have already shown their disposition to commence its destruction by plunder and by violence. Looking to the question, therefore, in this point of view, it is the deliberate conviction of the government, that as the policy which I have described, would be at once injurious to our honour, and destructive of our vital interests, we are called upon to declare our firm and deliberate resolution, honestly to abide by the plighted faith of the country.

It does not however follow, that in adhering to this resolution, we should necessarily be bound to carry it to its utmost limits, and apply our whole surplus, whatever might be its amount, to the reduction of debt. Many circumstances might concur to render too rapid a diminution of the debt extremely detrimental; and many considerations might at the same time call for a relaxation of the public burthens. It is upon this view of the subject that parliament has acted during the two last sessions, and it is this principle that I now propose to maintain and extend, in full conformity with what has been already done, and with a full conviction of the wisdom of the course. It is, I know, often said, that the chancellor of the exchequer is, *ex officio*, so enamoured of taxes, that he cannot be weaned from his attachment, or suffer them to escape from his embrace. Now, sir, I beg to say, that I have no such feeling, and am not so deeply smitten as to be anxious to retain them with too firm a grasp. On the contrary, whatever difference of opinion may prevail amongst us, either as to the actual extent of pressure produced by taxation, or the degree to which the remission of it would diminish that pressure, no one is more ready to admit than I am, that the remission is *per se* a real relief to the country; and it is upon this persuasion, that the government is prepared to act.

It now remains for me to explain to the committee, in detail, the items of taxation which I propose to remit, and which I have already stated apply to the assessed taxes; were my strength more equal to the task, I might have urged many reasons for selecting objects of direct taxation, rather than those which fall upon consumption: but I think that the grounds for that selection in the present instance, are so obvious, that it is unnecessary for me to press them upon the attention of the committee.

The repeal, then, which I propose, is partly absolute, and partly upon the principle of a per centage. The assessed taxes may be divided into four principal heads, 1st, windows;—2nd, houses;—3rd, horses, carriages, and servants;—4th, dogs, armorial bearings, game certificates, and other small items of that description. Of these I propose to leave the whole of the last class as they now stand, as I do not conceive that they press with any severity, or that their diminution would be attended with any benefit; and with respect to houses also, I confess that it appears to me, that upon a fair balance of the comparative advantage of diminishing one class rather than another, that duty does not particularly call for reduction. But as one main object which I have in view, in apportioning the amount of revenue which may now be spared, is to give the utmost direct relief to those who alone can now be said to be in a state of suffering—I mean the agricultural interest,—I think that I shall do some service to that interest, if I make the reduction apply to those branches of the assessed taxes, by which it is more particularly affected. In referring, then, to what I have described as the third head of assessment,—I mean horses, carriages, and servants,—I have to state, in the first place, that I propose to repeal entirely various small items, which, whilst they are comparatively unimportant in respect to revenue, are peculiarly objectionable, not only on account of the pecuniary pressure which they bring on those who pay them, but because they are oppressive and vexatious in the collection, and lead to eternal surcharges and disputes; they produce therefore a double inconvenience to the payer, and occasion a double expense in the collection. The first of these items which I have to notice, is the tax upon persons employed in trade and husbandry, who may also be occasionally employed in some other menial capacity, such as the care of a horse: that this duty may in many cases operate very heavily, can scarcely be denied: I trust that its repeal will not lead to an evasion of other duties, and I am satisfied that it will be very beneficial;—its amount is about 37,200*l.* There is another class of persons who are charged with a duty, who have always appeared to me particularly unfitted to be objects of taxation,—I mean occasional gardeners. This tax had doubtless been imposed under the notion that gardening was a luxury, and a mere enjoyment of the rich; but its effect has been (I know many instances of it) to deprive the poor of much casual employment, at seasons when it would be most desirable. A gentleman cannot employ a poor man to turn a walk, or to trim a flower-bed in his garden, even for a single week, without being compelled to pay a tax for him; it is true that it is only 10*s.* for each person; but it is irksome to be called upon to pay a tax for giving this sort of employment to the poor, and it must be acknowledged, that the disagreeable sensation which the appearance of a certain paper upon one's table produces, is not a little enhanced by feeling that one is obliged to add to its contents, by adding a list of those who may have been employed in garden work, from motives of charity. This tax produces 19,700*l.*, and I propose to put an end to it entirely. The next item is that of the lower class of taxed carts. A petition against this tax has, I believe, been presented to the House this evening, and the hon. member for Aberdeen has given notice of a motion for some returns respecting it: he is very welcome to his returns, but I trust it will be the last time he will have occasion to call for them, as I propose its entire abolition; it amounts to 9,300*l.* I come next to the 3*s.* duty upon ponies and mules under thirteen hands high, employed by persons in trade and husbandry. It is but a trifle to be sure, but it falls upon persons whom one would not wish to tax at all, and who can ill afford even this slight burthen; let us therefore extinguish it at once, and sacrifice the 4,480*l.* which it produces. The last duty of this description that I have to mention, is of a similar nature; it is a duty of 3*s.* upon horses employed by small farmers, who are also engaged in trade. It produces only 6,500*l.*; and as it is paid by persons who must necessarily be poor, its continuance is by no means desirable. Upon all these items I have great pleasure in proposing an entire repeal; and with respect to all the remaining taxes upon horses, carriages, and servants, I propose a general reduction of 50 per cent. It may perhaps be objected to this proposition, that these charges are borne by persons, who, from their means, are well able to support them, and that they do not apply to those classes whom we are most anxious to relieve. But, sir, I must say, that, independently of the consideration that no diminution of taxes that gives to the more wealthy increased means of employing those who are poorer, can fail of being beneficial to the latter, I do feel that there is no class of his majesty's subjects who are at this moment more justly entitled to relief, than those who will be directly benefitted by this reduction;—I mean the landed gentry of the country; and I trust therefore that the committee will feel that my proposition in this respect is not only unobjectionable, but right. The reductions to which I am now alluding, will be as follows: viz.—

On male servants	£.159,500
Clerks and shopmen of traders	98,050
Four-wheeled carriages	145,000
Two-wheeled ditto	98,000
High taxed carts	17,650
Horses for riding or drawing..	324,000
Ponies under thirteen hands high, the high duty	9,100
Bailiffs' horses	1,050
Butchers' ditto.............	4,400
Horses and mules, lower duty in agriculture and trade jointly, and trade wholly....	72,500

I come, lastly, to the important article of windows, and the general principle upon which I propose to proceed, is a diminution of 50 per cent. There is, however, one description of windows which I wish to relieve entirely. Gentlemen are aware, that the windows of shops and warehouses, which are detached from a house, are already exempt, and my idea is to extend this exemption to the ground-floor windows of shops, whether attached to the house or not. About two years ago this subject was investigated by a committee, who certainly considered that the tax operated very severely upon the smaller class of tradesmen. These persons are necessarily obliged, in the way of their trade, to exhibit their goods in their front windows, and having to pay a duty upon those windows, are exposed to a very unequal competition with persons whose shops are moveable, and carried about in carts, and other vehicles of that description. These itinerant traders are enabled to make a very advantageous display of the wares, and to sell them to great advantage. But as it is very unreasonable that the law should give them an undue advantage over the fixed shopkeeper, I propose to give the latter the benefit of a repeal of the tax upon their shop windows. The total reduction upon the head of windows, will be 1,205,000*l.*; and the total reduction upon the whole of the assessed taxes about 2,200,000*l.*

The committee will observe, that I have not hitherto adverted to the assessed taxes of Ireland: this is a subject of considerable importance; and when I ask myself how we should deal with them, can I say otherwise than "repeal them all?" There can be no doubt that the effect of these taxes is much more injurious in Ireland, from their influence upon the residence of the gentry, than it is in England, at least upon those who are so good as to pay them, for I fear that evasion is not considered in that country as any very heinous offence. But setting that aside, and not stopping to examine the precise extent of relief which Ireland will derive from the repeal, let us give it cordially, and let us be satisfied that the people of England will never grudge to their poor brethren of Ireland, the little advantage which they will obtain over us by the repeal of all their assessed taxes. The first loss of the revenue from this cause will be about 100,000*l.*; but a compensation, to a great extent at least, will be found in the equalization of the Irish custom duties with those of England, as proposed by the commissioners of inquiry.

Being upon the subject of Ireland, sir, allow me to say, that I cannot but feel a very lively interest in the concerns of that country. Whether it arises from the circumstance of my having, at one period of my life, resided there for nearly two years, from some connections which I have in that country, or from the peculiar character and circumstances of the people, I know not; but I confess that I cannot contemplate without the most painful feelings, the melancholy consequences which have so long resulted to Ireland from the anomalous and defective frame of her social organization. And there is no circumstance connected with that part of the United Kingdom, which is more distressing than the nature and consequences of her distillery laws. It is well known how large a proportion of her revenue is derived from spirits; and it is but too well known how much distress, misery, and desolation, result from the mode in which those duties are levied. They cannot be raised without the intervention of an army; that army cannot be so employed without serious prejudice to its discipline and efficiency: the law under which they are raised, is inevitably severe; and it cannot be executed without compelling the gentry and the magistracy to hunt out, to prosecute, and to punish their unfortunate tenants, who, for their mutual interests, ought to look up to them for protection and support: and whilst the violation of the law by the people, thus calls for the incessant interference of the gentry and the magistracy, in order to repress and counteract the temptation to evade the law, it becomes unfortunately the interest of those very landlords to connive at, if not to encourage, that evasion. Can one conceive a more lamentable state of things? It has an influence which has an inevitable tendency to weaken all those kindly feelings which ought to unite a government and a people; and to plant distrust and hatred, where confidence and affection ought to flourish. It has nothing to bring conflicting parties together:—it has every thing to perpetuate their separation. I cannot, therefore, look at the distillery laws of Ireland, without feeling that some alteration is necessary, to remove the monstrous evils which grow out of them; and to restore to Ireland (or rather to confer upon her, for, alas! we cannot restore what never was possessed), some portion of those social blessings, which the people of England so well know how to estimate, because they have so long enjoyed them. It is my intention, therefore, to propose to parliament some remedial measure upon this subject; of which the basis will be a large reduction of the duty upon spirits. It is, perhaps, only an experiment, and God only knows whether its result will be successful or not; but I am resolved that it shall have a trial. I am sanguine enough to believe, that the revenue will not, ultimately at least, be injured by the change; and I am supported in this belief by the conviction of the commission of inquiry, who will, I trust, at no distant period, lay before the House a full report, explanatory of the whole question. But I confess, sir, that I am so anxious upon this subject, that even if I thought that the revenue would risk some loss by the alteration, I nevertheless would try the experiment. I should not think myself justified if I hesitated to make the attempt, even if I were fearful that by so doing, I should defeat my own calculation, and enable gentlemen to say hereafter, "You promised us a surplus, and your promise has not been realized." I would rather incur this reproach, than voluntarily consign Ireland, without an effort, to all the evils of the existing system.

I have now, sir, gone through the statement which it has been my duty to submit to the House. The result is, that we have an increasing commerce abroad, and an increasing consumption at home—the consequence of the increasing ease and comfort of the people:—we have an increasing revenue, necessarily derivable from these two powerful causes:—we are enabled, by that improved revenue, to establish a systematic reduction of the national debt, and to effect a systematic diminution of the public burthens; and we may hope to find in that very diminution the means of future relief. If such be the result (and I think I have not over-stated it), who can look back to the difficulties in the which we have been surrounded, —the sacrifices which we have made, —the dangers which we have surmounted, and the security which we have achieved: —who, I say, can look back upon the past, and forward to the future, without feeling increased veneration and attachment for those great and noble institutions, which, being built upon the imperishable basis of civil and religious liberty, constitute themselves the unbending support of our national prosperity and strength?—The right hon. gentleman sat down, amidst loud cheers, with moving his first resolution; viz. "That, towards raising the Supply granted to his Majesty, the sum of Twenty Millions be raised by Exchequer Bills; for the service of Great Britain, for the year 1823."

Mr. *Maberly* said, that, before he adverted to the part of the subject which he considered as of the greatest importance, he would offer a few remarks on the credit which the right hon. gentleman assumed to himself, for making a reduction in the estimates of the present year of between a million and a million and a half beyond the anticipation of the finance committee of 1817. He confessed he could not give the right hon. gentleman credit for this reduction; because the statement of the right hon. gentleman himself involved a complete censure on his majesty's government for not having sooner accomplished the reduction. Had government attended to the recommendations of the finance committee, ten millions would by this time have been saved to the country. Adverting to what the right hon. gentleman had said of the reduction of the expense of collecting the revenue in Great Britain, which, since the year 1818, amounted to 130,000*l*., and also of the reduction of the expense of collecting the revenue in Ireland, which, since the year 1819, amounted only to 3,000*l*., he contended, that a reduction so small did not evince the exercise of much vigilance in the detection of abuse. With respect to several of the estimates of the right hon. gentleman, not having the official accounts, he could not speak accurately to them; but he trusted he should not be thereby precluded from any future observations. The result of the right hon. gentleman's proposition was to reduce taxation to the amount of 2,232,000*l*. He apprehended that the great question between the right hon. gentleman and himself related to the way in which it was advisable to support public credit. The right hon. gentleman said, that the only way to support public credit was, to employ an excess of taxation, to the amount of five millions, to the redemption of the debt. If he (Mr. M.) could show that it was possible to support public credit without taking those five millions from the pockets of the people, and that the five millions which the right hon. gentleman proposed to apply to the liquidation of the debt might be added to the other two millions, and the whole seven applied to the reduction of taxation, he thought the House ought to adopt his view of the subject.—Much stress had been laid by many persons on what was formerly called the sinking fund, as having mainly supported public credit. He had already stated in that House, that it was notorious, that the sinking fund, instead of being diminished, had actually increased the debt. If the calculations of a very able man, Mr. Mushett, were to be trusted, instead of having diminished the debt, the sinking fund had created between twenty and thirty millions of debt beyond that which would have existed had it not been established. How that could be said to support public credit which had thus added to the public debt, he was at a loss to conceive. But now a new light seemed to have broken in upon the subject. After thirty years experience, it was now, on all hands, allowed, that the only efficient sinking fund was a surplus of income over expenditure. The right hon. gentleman had not stated, whether the five millions were to go on at compound interest or not. The abandonment of the principle on which the old sinking fund had been established, had converted all the public annuities into annuities for ever. As the old sinking fund, therefore, had not reduced the debt, it was fair to conclude, that the maintenance of public credit did not require the reduction of the debt. If so, instead of applying the five millions to the support of a sinking fund, why not apply it in another manner, not new in principle nor in practice? He would call the attention of the committee to what Mr. Pitt had said of the act for the redemption of the land tax, which he passed, notwithstanding the numerous objections that were made to it in that House. It was stated by Mr. Pitt, that the principle of the bill was so simple, and its advantages so certain, that he could not conceive what objection could be made to it. Now, it would be recollected, that when Mr. Pitt passed the Land Tax Redemption bill, the amount was about two millions; subsequently, during a period of about 25 years, 700,000*l.* was redeemed, and there remained unredeemed about 1,300,000*l.* At present, the operation of the act was retarded by the high price of redemption, which occasioned a sacrifice in the first instance of 10*l.*, and in the second of 20*l.* per cent. In consequence, during the last three years it had gone on so languidly, that it would take, on an average, five hundred years to redeem the tax. According to his plan, as contained in the resolution which he should have the honour of submitting to the House, about 41,300,000*l.* of debt would be cancelled; which would be more than could be effected, by the application of an efficient sinking fund of five millions during seven years.—What, then, he would ask, could be the necessity of keeping up taxes to the amount of that five millions?—The right hon. gentleman had laboured very much, to show that the people were not distressed, but were in a comparative state of affluence and prosperity. He agreed with him, that the people generally were not so much impoverished as they were some time ago; but still he must contend, that there was a large class of the population not quite in a state of either positive or comparative affluence, whom a remission of taxes must relieve; but he did not conceive that the reduction of taxes by the application of the sinking fund for the next seven years would satisfy them. He was of opinion, that the operation of the Land Tax Redemption bill could be much facilitated by the conferring not only votes for the county, but creating qualifications for the magistracy, and holding forth other inducements to the public. He only wished to grant that which the people had a right to demand without dishonour or inconvenience to public credit, or injury to the character of the nation. He was sure that if he could show the revenue of the country would be increased, while its burthens were diminished, the House would go along with him in his proposition. He was prepared to prove to the right hon. gentleman, that the reduction of seven millions of taxes would not be productive of an equivalent loss to the state. The remission of taxes would be operative upon the population, so as to increase the number and the consumption; and he thought this would be felt to the amount at least of one million.—With respect to Ireland, he believed it to be much within the estimate, when he said, that 400,000*l.* could be saved in the collection of the revenue. The commissioners sent to that country, he highly respected as individuals; and he thought they had performed the duties of their appointment with fidelity and honour. At the same time, while he agreed with every word of their manly, faithful, and honest report, he must consider that it conveyed the most direct censure upon the conduct of ministers, who had taken no steps previously to alter that system, by which the revenue in that country was collected at the rate of 22 per cent—a thing not to be borne. From that source he anticipated a saving of about 400,000*l.* The right hon. gentleman had stated a surplus of seven millions, and a proportionate reduction of the assessed taxes. He had also stated, that 250,000*l.* might be saved in addition, in the collection of the taxes in the customs alone. But he would not consent to give up any branch of those taxes completely, because patronage was concerned in the support of the establishment. He hoped, on consideration, that such a principle would be abandoned. He was convinced that much greater savings might be made in the collection, than the right hon. gentleman had anticipated. He believed that in England and Scotland the saving in the collection of the beer duties might be 200,000*l.*, the present rate being nine per cent. By the savings which he had stated, and others in the army and navy, and other departments, he was convinced they might go much lower; and that, at no distant period, there was a prospect of an increase of four millions in the revenue, from the sources which he had stated. There was no longer, he contended, a real necessity for calling on the people for the five millions of taxes. He never had an intention of robbing the public creditor. No man was more anxious than he was, that public credit should be supported. The public creditor had a fair claim upon the country; and he was sorry it should go abroad, that he wished to impair that claim. He came prepared to show, that seven millions of taxes might be repealed, and the public credit be as well supported as it at present was. He would now read the resolutions which it was his intention hereafter to propose:—

1. "That by the resolutions voted by this House in the year 1819, it was deemed expedient that an efficient sinking fund should be created to the amount of five millions.

2. "That at the time in question, it was agreed unanimously, that the only sinking fund which can be efficient, is, that which is produced by a surplus of income over expenditure.

3. "That, as far as can be collected from the papers laid upon the table of the House, there actually exists a sum of about five millions, applicable to the reduction of the national debt.

4. "That, in addition to these five millions, applicable to the reduction of the debt, there is at the disposition of parliament, arising from the increased productiveness of several branches of revenue, and the various plans of reform and economy in the administration of the country, proposed to be carried into execution this year, a sum of about 2,200,000*l.*

5. "That it appears, therefore, that a total sum of 7,200,000*l.* arising from the above-mentioned sources, is applicable to the maintenance of public credit, and to the relief of agricultural or other distress, by remission of taxation.

6. "That although it was determined, that the capital stock purchased by the commissioners for the redemption of the national debt, with this efficient sinking fund, should be transferred to their account, it was nevertheless understood, that the interest payable upon stock so purchased, should either determine at the time of purchase, or be paid over and become part of the consolidated fund.

7. "That taking 80*l.* as the price of 100*l.* in 3 per cent consol stock, it appears, that five millions of money annually laid out during the space of seven years, would redeem about 43,750,000*l.* of 3 per cent annuities; but should we remain at peace, it would redeem a much smaller sum.

8. "That in the year 1798, for the support of public credit, there was passed an act for the redemption and purchase of the land tax, which act, from the exorbitant conditions attached to such redemption and purchase, has, in a great measure, failed in effecting the destined object.

9. "That notwithstanding the obstacles thus created, such has been the anxiety of the public to redeem their land, and to purchase landed securities, that the sum redeemed and purchased amounts to 700,000*l.* and upwards.

10. "That if so large a proportion of the land tax has been redeemed and purchased, at a sacrifice in the first instance of 10*l.* and in the second of 20*l.* per cent, it is but reasonable to conclude that the remaining balance of 1,239,701*l.* would be similarly redeemed and purchased if no sacrifice was necessary.

11. "That it appears that 1,239,701*l.* of land tax, thus redeemed and purchased, and paid for in 3 per cent consolidated annuities, would cancel a sum, in such annuities, of about 41,330,000*l.* being more than the amount that would be purchased by the regular investment of the sinking fund, in stock, for the space of 7 years, if we remain at peace.

12. That it appears that this method of reducing debt by no means differs in its substance from that which was adopted

by the House in the resolutions of 1819, the essential attributes of both plans being the maintenance of public credit, by the diminution of the quantity of debt.

13. "That as the mode of redeeming the national debt by redemption and purchase of land tax injures no class of proprietors, and will absorb a quantity of debt nearly equal to that which would be redeemed by an efficient sinking fund of five millions, annually laid out during seven years, it is expedient to substitute it for the sinking fund adopted in the resolutions of the House of 1819.

14. "That by this substitution there may be remitted to the people, in alleviation of their distress, seven millions of taxes."

Mr. *Ricardo* said, he remembered, that at the termination of the last session, he had frequently to repel the attacks which were made upon the science of political economy. He had been delighted, however, to hear the plain, sound, practical, and excellent speech, which had been delivered by the right hon. gentleman opposite; and he thought that the science of political economy had never before had so able an expositor as it had now found in that House. He thought that there never yet had been in that House a minister filling the situation which was held by the right hon. gentleman, who had in that capacity delivered sentiments so candid, so wise, and so excellent. In all the statements which he had made, it was impossible not to follow him with the greatest ease and safety; for it was in all these quite clear, that each of them was, in fact, as the right hon. gentleman had put it. But, there was this one difference—an important one, certainly—between him and the right hon. gentleman. The right hon. gentleman had stated the surplus of our income over our expenditure at 7,000,000*l.* Now he (Mr. Ricardo) had contended last year, and did still contend, that the transaction respecting the commutation of the pension charge, was only a transfer from one hand to the other. This evening the right hon. gentleman had introduced into his surplus of 7,000,000*l.* a sum of 2,000,000*l.* to be received; he would like to know from whom? Could the right hon. gentleman himself tell? On the one side of the account he had put an amount of 2,800,000*l*, to be paid for pensions and half-pay; and on the other side, he had stated, that he was to receive 4,800,000*l.* from the trustees, whoever they might be, who were to pay such pensions and half-pay; and of these two items, the balance was 2,000,000*l.* to be repaid, of course, to these trustees or commissioners themselves. Undoubtedly, therefore, from this assumed surplus of 7,000,000*l.* of actual income over expenditure, there must be deducted these 2,000,000*l.*, which the sinking fund itself was to supply. If this view of the subject was correct, the right hon. gentleman, when he should have carried his plan into effect, of giving the proposed relief to the country, would actually leave them with a clear sinking fund, not of 5,000,000*l.*, but of 3,000,000*l.* This was the only difference in point of statement between him and the right hon. gentleman. But he could go along with the right hon. gentleman in every principle that he had applied to the sinking fund; as applicable to the diminution of our debt in time of peace. But, this was always in the supposition, that we did actually possess such a sinking fund, and that it could be so applied to pay off our debt. So convinced was he of the necessity, the indispensable necessity of getting rid of this tremendous debt, that he had before ventured to suggest the expediency of a general contribution from the capital of the country for that purpose. He would contribute any proportion of his own property, for the attainment of this great end, if others would do the same. If this proposition should be thought extravagant, or if it should be supposed that the contribution he should suggest was excessive, why not ask for a smaller contribution of capital for the same object? As to the other parts of the right hon. gentleman's speech, he considered that taxes raised in order to pay off debt, ought to be looked upon in a very different light, from those that were raised for the immediate services of the state. The one, we might be considered as paying to ourselves; the other was for ever lost to us. As to the plan proposed by the hon. gentleman who spoke last, he had few or no remarks to offer upon it. His scheme for the reduction of the debt, by paying off the land tax, was, as far as he (Mr. R.) understood it, quite practicable. It did exist, indeed, to some extent, at the present moment; but the hon. gentleman's plan would, perhaps, increase its facilities. The hon. gentleman, however, in his plan for the reduction of taxes, went much too far; for he seemed to consider, that the clear surplus, which they had to dispose of, after allowing for the 2,200,000*l.* which the right hon. gentleman proposed to remit in taxes, would give a sinking fund of 5,000,000*l.* Now, he said, that the hon. gentleman went too far, on this ground—that we could not have such a sinking fund applicable to such a purpose. And here he would beg leave to call the attention of the House to a pamphlet which had been lately published under the auspices of ministers themselves. [Hear, hear! from the Treasury Bench.] Well, he did not know how that might be; but this he knew, that it contained arguments which were constantly in the mouths of ministers. In this pamphlet the sinking fund was made applicable to two or three different objects: and first of all, it was efficient for paying off debt. If so, it was clearly efficient for no other object. If a man applied the surplus of his income to the payment of debts, he surely could not apply it to any other purpose. But the pamphlet proceeded to say, that the fund was efficient for carrying on war in case of an emergency, if allowed, in the mean time, to accumulate at compound interest. This was as if the real object of the fund was, in the event of any aggressions by an enemy, to enable us to fight that enemy, in case of a war. But if so, why did not ministers confess it? Let them at once openly avow their object. But he thought that the more constitutional course would be, in case we should be required to repel the aggressions of an enemy, for the ministers of the crown to come down to the House and acquaint it with the necessity of providing for the expenses of a war that was about to be undertaken, rather than to retain the sinking fund at its present establishment, with the view of making it available on such an emergency. He did think that there was something mysterious in this doctrine of making that which was supposed to be applicable to paying off our debts applicable to the expense of a war.

Mr. *Baring* thought it impossible for any one to have given an explanation more clear or satisfactory, than that which they had heard from the chancellor of the exchequer. He concurred, however, with the hon. member for Portarlington, in doubting very much the amount or accumulation of interest which the right hon. gentleman included in his statement of the sinking fund. He concurred with his hon. friend in thinking, that we had a clear sinking fund of 3,000,000*l.*, and not of 5,000,000*l.* Much, indeed, was to be said as to the temporary nature of those payments, on account of which the deduction of 2,000,000*l.* was to be made: but, taking all the circumstances of the country into consideration, and the probability of an augmentation of the same dead charge, he could not but consider that we were, at best, relieving ourselves to burden posterity, in slipping over to them that amount of dead charge for which that right hon. gentleman now took credit. He was most pleased to see, that we had, at any rate, a permanent fund of 3,000,000*l.*, and that we had it, consistently with a reduction of taxation, to the amount of 2,200,000*l.*—an amount which he confessed very much exceeded his expectations. With the hon. member for Portarlington he perfectly agreed, in thinking it was impossible for any man, possessing the least acquaintance with the nature of the government of any state, to suppose, looking to the circumstances of the country, that we could go on without—he would not say a sinking fund, as that word had lately grown into so much disrepute, but—a surplus of revenue. That without it we could hope to maintain our credit, was equally impossible. So far he went with his hon. friend; but he could not join with him in wishing to take away this sinking fund of 3,000,000*l.* in further remission of taxation. His hon. friend had said, that experience had shown it was impossible to maintain a sinking fund. Now, he knew nothing that should make gentlemen think it impossible, except it were this opinion of his hon. friend. Neither could he discern the difficulty of applying it to the reduction of debt in time of peace, and to the same purpose, so far as it would go, in time of war. It was one of its advantages that it was so applicable.—[The hon. member then entered into a history of the origin of this fund under Mr. Pitt, and its efficacy at the period of its origin; observing, also, that Mr. Pitt never could have calculated on a war of three and twenty years' duration.] He would rather take a sinking fund for four, three, or even two millions and a half, than one of 5,000,000*l.*; if he could be sure of its being a real sinking fund to such amount; and if it were applied, at compound interest, to the reduction of the debt. The argument of those who opposed the sinking fund entirely, arose from their misapprehension of the principles of its original constitution. The honourable member for Aberdeen, in some resolutions appended to a speech some time since delivered by him in that House, had given more information to his (Mr. Baring's) mind on the finances of the country generally, than he had received from any other quarter. In those resolutions, the right hon. gentleman had said, that 1,000*l.* applied during a given number of years annually, would produce nearly the same effect on the debt, as if that 1,000*l.* had been applied at compound interest. He (Mr. B.) could not but suppose, that here there was some improper expression used; as the hon. gentleman must be aware, that the fact could not be so. He would prefer the operation of a sinking fund, as applicable to the reduction of debt, to the right hon. gentleman's coming down annually to the House, to remit some 600,000*l.* of taxes. Such remissions, however agreeable they might be to the right hon. gentleman, whose predecessors had so frequently come down for the purpose of imposing new taxes, must have some temporary effect in deranging the financial system of the country, and were constantly the object of struggle between the commercial, manufacturing, and other interests, who would naturally scramble for a boon so thrown upon the table of the House. It had been asked, what would five millions of sinking fund avail against our immense load of debt? or what progress could five millions annually make in reducing 800 millions of national debt? But, though the amount might not seem great, when compared with the whole amount of what the country had to meet, yet it was not so trifling in its operation as some imagined. It afforded a certain support to public credit; and gave to the government the means of meeting any occasional deficit arising from a sudden emergency; and it would, he had no doubt, if properly applied, enable ministers, in the course of time, to reduce the 4 per cents to 3 per cents, and place the nation in a state of independence, in the event of our being engaged in a foreign quarrel. It was absurd, then, to call such a fund a delusion upon the public. As long as its integrity was maintained, even though it should not amount to what the chancellor of the exchequer had stated, it could not fail of being a real benefit. It had been contended, that whatever of surplus revenue existed, should be applied to the relief of the distress which prevailed in the country. This was, in his mind, a mistake—a delusion: for even if all the means of supporting the sinking fund were surrendered to that branch, which he admitted was suffering much, those persons would be deceived who imagined that it could afford more than a paltry relief. One effort of it would be, to transfer a great part of the floating capital of the country to other channels; and to those channels by which it would be an aggravation of, instead of a relief to, those distresses which it was supposed it would remedy.

The *Chancellor of the Exchequer* said, he had forgotten to mention, that it was his intention to propose a measure which would have the effect of simplifying the operations of the sinking fund.

Mr. *Robertson* contended in favour of the necessity of supporting the landed interest—an interest upon which, after all, the government must principally rely for its resources.

Mr. *Hume* commenced by observing, that he had never heard a statement from ministers with more pleasure than he had heard that of the right hon. gentleman opposite. Never had he heard in that House a statement more clear or more satisfactory from any chancellor of the exchequer. He could not, however, help expressing his regret, at hearing it stated, in answer to what had been said by the hon. member for Portarlington, that the sinking fund was, as it was now constituted, calculated to support public credit. He contended, that the present sinking fund only tended to encourage extravagance; by placing at the disposal of ministers, a sum of money which it was likely, if not certain, they would apply to any thing but its proper use. To prove the inefficacy of the sinking fund, he had only to state, that the late chancellor of the exchequer had, in one year, taken 8,000,000*l.* from that fund; and, by certain returns, it appeared, that, altogether, no less a sum than 440,000,000*l.* had been taken from it. Here was an immense charge of management paid by the public, without any profit being derived to the country from it. How, then, could the hon. member for Taunton say, that the House would show a want of fortitude if they gave up the sinking fund? They had seen how the sinking fund had been appropriated year after year; and, this being the case, what had the country to depend upon? How could it expect, that the present or a future parliament would act more honestly than former parliaments had done? Let it be borne in mind also, that during the whole of this juggle, the country was paying heavily for what was called "the management" of the national debt.—The hon. member, adverting to what had fallen from the chancellor of the exchequer, observed, that the sinking fund to which he alluded was not an available surplus; but consisted of 2,800,000*l.*, which was a dead weight upon the country. But the question was not, whether a sum of three millions, or of five millions, should be kept up as a sinking fund; but whether any such sum, at such a period, should be forced from the distresses of the country. He contended, that the best policy would be to give the country relief from taxation, to the amount of the sum now proposed to be kept up as a sinking fund. Let this be done, and ministers might with confidence rely upon the exertions of the country, should circumstances arise to call them forth; but let them not, by an unnecessary imposition, cripple those resources, to which it might, in a short time, be necessary to resort, in order to defend the country, in the event of a struggle in which it was not unlikely to be engaged.—The hon. member, after adverting to the inadequate relief about to be afforded to the landed and shipping interests, congratulated the House upon the progress of liberal opinions within his own recollection. In 1820, he was one of twenty members who supported a motion, made by the hon. member for the Queen's county, praying an inquiry into the distressed state of Ireland. How different was the case at present! The right hon. the chancellor of the exchequer now promised a remedy of the abuses existing in that country. He next adverted to a tax paid by sailors towards Greenwich chest; and which, while it pressed heavily on the parties subject to it, was rendered almost inoperative, as it cost at least 21 per cent in the collection. This tax was the more oppressive, as it fell solely upon the shipping interest. Alluding again to the state of Ireland, he thought it necessary to state, that, great as were the abuses in Ireland, no branch of those abuses required more immediate remedy than the distillery laws. The Irish distillery laws, as they now stood, were the cause, not only of much internal anarchy, but the reason why a great portion of the standing army of that country was kept up. Let a liberal policy be pursued towards Ireland, and he saw no reason why Ireland, depressed as she had been, should not rise as rapidly to independence and freedom as Scotland had done after the Union. This he hoped would be the case; but he could not help observing, that for many years there was no European state which had been more misgoverned than Ireland. He would say, that if ministers had taken a proper view of the question, or if they had had a House to support them, that alteration which was now proposed might have taken place seven years ago. He joined with the chancellor of the exchequer in the wish to maintain the public credit. Nothing would occasion him greater regret than to find a majority of that House assenting to any proposition which would rob the public creditor of even a shilling of his demand; and he thought that his majesty's ministers deserved the thanks of the country for the firmness with which they had maintained its faith with the public creditor. The cause of the ruin of many states had been the violation of faith with their creditors, and he trusted that we should never imitate such an example. He was as anxious as any man could be, to afford relief to that branch of the community which was now so much distressed, but he could never consent to it at the expense of the public faith.

Mr. *T. Wilson* said, that although he was connected with the shipping interest of the country, and well knew that it was labouring under considerable embarrassment, he felt that he should ill discharge his duty to his country, by giving his consent to that repeal of the duties upon shipping to which the hon. member had alluded. The repeal of those duties which pressed only on one particular class would afford nothing more than a partial relief; whilst the repeal of the taxes, which had been proposed by the chancellor of the exchequer, would afford relief at once to the mercantile, the manufacturing, and the agricultural part of the community. He trusted, however, that if the duties upon shipping should be allowed to remain in full force, the collection of them would be attended with as little expense as possible. It appeared to him, that 21 per cent was much too high a sum to be expended for such a purpose.

Sir *H. Parnell* was anxious to say how

strong an obligation he felt, as he was sure every person connected with Ireland would feel, to the right hon. gentleman, for the kind terms and warm feelings with which he had expressed himself in respect to the affairs of Ireland. As several gentlemen had borne testimony to the correctness of the statements of the right hon. gentleman, as they related to the general finances of the country, he wished to bear his testimony to the accuracy of those parts of it which belonged to the financial concerns of Ireland. It was impossible to speak in too strong terms of the merits of those gentlemen who were the commissioners for inquiring into the state of the revenue of Ireland. They had executed the trust reposed in them, in the most able manner. The difficulties they had to encounter were various, and exceedingly embarrassing; but they had overcome them all by an honest and patient perseverance in prosecuting the investigations which were necessary for fully understanding the state of the Irish revenue. He entirely agreed in all the plans which were recommended by the commissioners; and he was exceedingly glad to hear the right hon. gentleman disclose, in so warm and decided a manner, that the government would not be backward in carrying them into immediate execution. This course reflected the greatest credit upon the government; because, by surrendering all the revenue appointments to the boards, they gave up that great patronage which had hitherto been possessed by the lord lieutenant. In respect to the consolidation of the boards of revenue, he felt quite convinced, that any other measure would have wholly failed. It was only by this consolidation that the English system of revenue regulation and collection could be completely established in Ireland. This would lead to a much more productive revenue from the existing taxes. It would also be much more satisfactory to all those who had to pay taxes and duties, and, besides, it would greatly contribute to put an end to that course of depraved morals which was throughout all Ireland connected with existing systems of managing the Irish revenue. The plan of abolishing the countervailing duties and drawbacks upon the trade between England and Ireland, and thus making it as free from duties and restrictions as the trade between two parts of Great Britain, would be followed by the best results. The facilities attending the commercial intercourse between the two countries would lead to a great extension of it, and afford great advantages to the inhabitants of both countries. It was so essential to make the trade as free as possible from all restrictions and duties, that he fully agreed in the proposal of connecting with the repeal of the assessed taxes, the equalizing of the custom duties. He begged leave to suggest to the right hon. gentleman the propriety of so modifying several of the English excise duties, that the same duties might, as far as circumstances would admit, be established in both countries.—The hon. baronet continued by expressing how much the public were indebted to the commissioners of inquiry for their report upon the Union protecting duties. They had sustained their opinion in favour of abolishing them in the most able arguments; and illustrated the case with so much valuable evidence, that a complete change had taken place in the mind of the public, in regard to the policy of these duties. It was now understood, that they contributed to establish monopolies and to promote combinations; that they were an unjust tax upon the consumers, and that, in place of protecting manufactures, they absolutely prevented their progress and extension. By removing them, it was now certain, that, for the first time, the possibility would exist for Ireland becoming a manufacturing country, by having the great market of England opened for the sale of the produce of her industry. As to the distilleries, the right hon. gentleman had most accurately explained all the evils which belonged to the present system of them; and he had formed the only plan of removing those evils, when he proposed to lower the duties very considerably. If this measure was connected with allowing small stills to be established, in place of the revenue being injured, he was confident a much larger revenue would be collected than ever had been derived from the distilleries. The measures which had that evening been proposed, for the improvement of Ireland, when coupled with the other measures which government intended to bring forward, would be productive of the best possible effects. By a steady perseverance in this course, and bringing forward salutary measures for remedying the evils which prevailed in Ireland, the country would become quiet and industrious, and in time improvements in civilization and wealth, would make it a valuable acquisition in point of revenue, when they might be most wanting by this country.

Lord *Folkestone* concurred with all that had been said by preceding speakers, regarding the luminous arrangement and the good feeling, which pervaded the speech of the chancellor of the exchequer. At the same time, he felt considerable disappointment, that the right hon. gentleman's observations did not contain a single allusion to the distress under which the agricultural interest at present laboured. Indeed, he could scarcely collect from the right hon. gentleman's speech, whether he admitted or denied the existence of that distress. One part of it almost led him to suppose, that the right hon. gentleman denied it; for he had said, that the increased productiveness of the taxes had arisen from a greater consumption of the article upon which those taxes were imposed; and had thence inferred, that the country was rapidly progressing to an increased state of prosperity. Now he (lord F.) contended, that there was no natural connexion between these two subjects. He was aware, that it had long been the fashion with chancellors of the exchequer, to come down to the House, and to congratulate members upon the great sum which had been raised by the taxes. It appeared, however, to him, that this ought to be rather a subject of condolence than of congratulation; for though a minister might, with propriety, congratulate the country, if he had a productive revenue with a light taxation, he did not see what right he could have to do so, when the productiveness of the revenue arose from the heaviness of taxation. He should contend, that as things were at present managed, the distress of the agriculturists increased in the same proportion as the revenue was abundant. It was now the fashion to cry up the necessity of maintaining the public credit unimpaired, and to cry down all those who ventured even to hint a syllable in derogation of such a doctrine. Now, he asserted, that it was not fair to push the doctrine too far. Two years ago he had stated to the House two cases, in which it would not only not be fair, but would be positively unjust, to maintain what was called public credit, with the strictness which its advocates required. Those cases he would not now repeat; though at a fit opportunity, he should be prepared, not only to restate, but also to defend them. He was long enough a member of that House, to recollect the time when the same ignominy was attached to the idea of touching the sinking fund, as was now attached to the idea of reducing the interest of the public debt; and yet such had been the alteration in its opinion, that it had permitted the sinking fund to be invaded repeatedly, by the financial measures of various ministers.

Mr. *Grey Bennet* felt it his duty to remind the gentlemen opposite, who had talked so much about dealing honestly with the public creditor, that it was also their duty to deal honestly with the public debtor. The country, he maintained, was only bound to pay the debt which it had borrowed; and he would never allow more to be exacted from it by any shuffling trick regarding the public currency, to which parliament might have consented, by lending its aid to the government to despoil at one time the public creditor, and at another the public debtor. He would never allow the people to be stripped of the last farthing of their property by a system which had created greater misery, and inflicted greater spoliation, than had ever been inflicted upon any people by any system, invented under any form of government. The question of the currency must come again and again before the consideration of parliament. The people of England would not consent to be robbed in the manner that was now attempted. County after county would petition, and demand from the House—not spoliation, but justice; and parliament would be compelled, in the long run, in spite of itself, to come to that equitable adjustment of contracts, which he now claimed at its hands for the people of England, not as a matter of indulgence, but as a matter of right. The people of England would not allow themselves to be stripped of their last shilling by an act, which the House had enacted ignorantly, and with no intention of robbing them; but which had produced all the effects of intended spoliation upon them and their fortunes. He should have been ashamed of himself, if he had left the House that night, without making this explicit declaration of his opinions. Those opinions he should be prepared at a proper time to state more fully, and to justify, by details and facts, which would prove, even with mathematical certainty, the spoliation which the people, for some years past, had been obliged to endure. He knew the difficulty of the task which he had undertaken; nor was he unaware of the obloquy with which its performance must be attended; but this he now said, and he would pledge himself to make it good hereafter,—that spoliation, great spoliation, had been committed; and that from it was derived nine-tenths of the misery which the people of England now suffered.

Lord *Milton* said, that it was so long since he had attended the House, that he hardly knew by whom he was supported, or to whom he was opposed. He had had two surprises that evening—the one, the speech of his hon. friend who had just sat down, and which he strongly deprecated; the other, and by far the more agreeable surprise, was the speech of the right hon. the chancellor of the exchequer. And here he could not let the opportunity pass, without offering the tribute of his praise to that right hon. gentleman, for the feelings which seemed to animate, and the spirit of enlarged policy which supported, the propositions he had that night made to the House. He contrasted with much gratification the policy by which ministers were now governed, with that on which they had formerly acted. He could not help feeling that the country had a new government—a government new in all its feelings, and in all its views on great public questions.—The right hon. gentleman, who had that night received and deserved so much praise, had advanced propositions which were sound and self-evident, but which had been denied last session by some of the most influential members of that House. The right hon. gentleman had truly said, that the diminution of taxation was the best, the only, relief for the pressing distress of the people. Ministers seemed at length awake to questions over which last session they had slept. Having said so much with regard to the speech of the right hon. gentleman, he was obliged, however, to say, that he was disappointed as to the results to which the right hon. gentleman had led the House. In his opinion, the measure of relief proposed, was less than the country had a right to expect; and considerably less than what was necessary to give efficient relief. He would ask the country gentlemen who heard him, particularly those who represented Norfolk, Suffolk, Sussex, and some of the southern counties, whether, under the present rate of taxation, cultivation could possibly continue? With respect to many parts of England, cultivation must cease, unless taxes attendant on cultivation were removed to a degree far greater than was contemplated by the chancellor of the exchequer. It was his opinion, that the repeal of taxes which that right hon. gentleman had in contemplation, would not go to diminish the expense of cultivation. The distress under which the agriculturists laboured, proceeded, in a great measure, from the expense of cultivation; and that expense was occasioned more by the taxes than by any other cause. The great remedy, therefore, for the distress of agriculture, was the repeal of taxes. Deprecating, as he did, the opinions expressed by his hon. friend (Mr. Bennet) with respect to the public debt, he would yet say, that the greatest security of the public creditor would be found in the diminution of taxation. His hon. friend had talked of an equitable adjustment of contracts: had that, indeed, been carried into effect in the year 1819—had an alteration of the standard been then made—it might have been made without a breach of faith; but it could not be now done without that breach. They could not now turn round on the public creditor, in order to gain an advantage for themselves. Feeling as he did the necessity of supporting the public credit, he strongly urged gentlemen connected with the land, to press for a reduction of taxation; particularly for a reduction of those taxes which bore more directly upon cultivation, as the surest and the most honourable mode of obtaining relief.

Sir *R. Wilson* rose merely to make one observation. The chancellor of the exchequer had stated, that the reduction of taxation was the best mode of relief. He had also dwelt with satisfaction upon the tranquillity of the country. The right hon. gentleman, and those who acted with him, must feel, that to insure that tranquillity, and to promote the permanent prosperity of the state, it was necessary to bind the people to the government, and that that was only to be done by showing a regard for their liberties. He trusted, therefore, that ministers would take an early opportunity of repealing the laws called the Six Acts, and restoring to Englishmen the ancient free and constitutional laws of England.

Mr. *Wodehouse* said, at the end of the

last session, a pledge had been given by ministers, that they would take into consideration some measure for facilitating the sale of beer. He wished to know whether any result had been come to upon that consideration? He was convinced, that the more the malt duties were considered, the more readily it would be acknowledged, that, compared with other taxes, they were the most grievous of all. When the right hon. gentleman spoke of the increased consumption of malt, he should recollect, that the consumption last year, was three and a half millions of bushels less than in the year preceding, and that thirty years ago, the consumption of malt was greater than at the present day, in spite of the great increase of population. The question of the malt duties, and of the measures which could be taken for increasing the consumption of malt, was one of such extent, that the sooner it was considered the better. He could not profess himself entirely satisfied with the statement of the chancellor of the exchequer; because the landed interest was left subject to burthens to which no other interest was liable. The poor-rates amounted to within a fraction of seven millions; the highway and county rate to 1½ million; the land tax to 1½ million; so that the landed interest was subject to a burthen of about ten millions, exclusive of tithes. When they looked at their reduced rental, no one could deny, that the cause of their distress was undiminished taxation, operating upon diminished income. He should be one of the last men in the world to consent to the robbery of the fund-holder, or to listen to any plans of plunder and spoliation which might be held out as a bait to the distressed by artful and wicked demagogues. But it was impossible that, year after year, they could go on supporting a sinking fund, by taxes which were bending them down to the very earth.

Mr. *Benett*, of Wilts, expressed his satisfaction, that 50 per cent of the window tax was to be reduced. It was a most grievous and unequal tax; because a house in the most obscure part of the country, where it was of little or no value, was rated as highly to this tax, as one in the fashionable streets of the metropolis. It was, therefore, by no means an *ad valorem* tax. It tended, too, to make the country gentlemen desert their ancient and spacious dwellings, and drive them to the metropolis. The house tax was a fair tax, because it was charged according to the value of a dwelling. He should have been glad to have seen the window tax reduced altogether, even though the house tax had been increased. Nothing in the statement of the chancellor of the exchequer had given him greater pleasure, than the measures of relief intended for Ireland. The peace of that country was an object of first-rate importance; and what was now done for Ireland, he considered to be done for the empire at large.

The *Chancellor of the Exchequer* said, he rose to reply to a remark of an hon. gentleman, as to a pledge given last session. The means of facilitating the sale of beer had by no means escaped his attention; but he could at present say no more than that he was extremely anxious to find out a measure, which should give facilities to the consumption of beer; as well for the benefit of the consumer, as for the ultimate and indirect relief to the parties concerned in the production of malt.

The resolutions were then agreed to.

HOUSE OF LORDS.

Monday, February 24.

AGRICULTURAL DISTRESS.] — Earl *Somers* presented a petition complaining of Agricultural Distress, agreed to at the Hereford county meeting on the 17th of January, at which meeting his lordship presided; he having agreed to summon it, pursuant to requisition, after the high sheriff had declined to call it. His lordship detailed the circumstances which took place at the meeting. He thought it right to do so, because he had refused to sign the petition, and because he objected to some of the allegations contained in it. The agricultural distress was undoubtedly very great; and though it might be said that, after a time, that distress would be alleviated; and though it was true, that great landholders might withstand the pressure, still it could not but excite the most melancholy feelings in men who were enabled to bear up against it, to see their neighbours continually falling one after another around them. He certainly did not mean to advocate any measure that could affect public credit; far from it. Public credit was to a nation, what private credit was to an individual; but let it be recollected, how much, during the war, public credit was supported by the landholders, who had cheerfully sustained the burthens imposed upon them—burthens which were the more heavy, inasmuch as, in addition to the taxes they paid in common with other classes, there were various local rates which bore exclusively upon them. It was impossible they could continue to sustain those burthens, under the change of circumstances which had occurred. In addition to the depreciation of prices arising from the transition from war to peace, they had to encounter the baneful effects of what was called Mr. Peel's bill. He did not mean to say that we ought not ultimately to return to a metallic currency; but he objected to the period, as being a peculiarly unfortunate one, at which that bill began to operate. It certainly greatly added to the distress. He knew many instances in which estates had been mortgaged, under then existing circumstances as to their value, for the purpose of providing portions for younger children; and the effect, under the change of circumstances, that had taken place was, that the younger children took all the profits of the estate, and nothing was left for the eldest sons, to whom it was intended the estates should devolve. His idea was, not that any measure should be adopted affecting public credit, but that the burthens now falling exclusively upon the landholders, should be equally borne by the other classes of society. A man might have 200,000*l.* in the funds, and might pay very little assessed taxes or poor-rates; whilst he, who had that capital invested in land, not only paid taxes and rates himself, but all his tenants occupying portions of his land, paid also taxes and rates for every part of it. This he considered an unfair apportionment of the burthens of the state, and one which pressed most heavily upon the landholders, and threatened extensive ruin. He was convinced that the original intention of the 43rd Elizabeth was, that personal property, as well as land and houses, should be assessed to the poor-rates. He was aware that there was considerable difficulty in assessing personal property to the poor-rate; but, under the circumstances of distress in which the landed interest were placed, he thought this difficulty ought to be encountered.

Ordered to lie on the table.

MARRIAGE ACT AMENDMENT BILL.]—The Archbishop of Canterbury moved, that the committee on the law regarding marriages should have permission to report from time to time. This having been agreed to, his grace presented a report from the committee, recommending, that until an ultimate decision could be come to, a short bill should be passed, repealing all the clauses of the Marriage act of last session, relating to the solemnization of marriages. The report having been agreed to, his grace presented a bill for the purpose mentioned in the report, stating that it was thought advisable to introduce this measure, with the view of allaying a very unpleasant excitement in the public mind upon this subject, and of preventing that immorality which might arise from impediments being thrown in the way of marriage. The committee would, with the least possible delay, come to a determination upon the whole subject; but its consideration would unavoidably take up some time.

Lord *Ellenborough* was anxious that there should be no misunderstanding with regard to the object of the bill presented by the right reverend prelate. The effect of it would be, that the old law regarding marriages would be restored, with the exceptions that the marriages could not be annulled, and that the surrogates, whose power of granting licences was taken away by the act of last session, would still not have the power of granting such licences. In all other respects the old law, with regard to the solemnization of marriages, would be restored.

The bill was read a first time.

DISPUTE BETWEEN FRANCE AND SPAIN.]—The Marquis of *Lansdown* said, that he rose for the purpose of putting some questions to the noble earl at the head of his majesty's government, relating to foreign affairs. He was sure the House would feel that it could not be his wish to provoke any premature discussion, which might by possibility interfere with any negociations going on with a view to the preservation of peace. His object was to ascertain whether the same ground of hope that was stated on a previous night as a reason for not entering into particulars still existed; and he was the more anxious to abstain from any general discussion, if that should be the case, in consequence of the fortunate concurrence of opinion manifested by both houses of parliament at the commencement of the session. When he considered that three weeks had elapsed since the meeting of parliament, and that many opportunities had since occurred of receiving communications from the Spanish government, and still more from the government of France, which, by the threat denounced against Spain, had struck at the independence of nations, he was anxious to put a question, the answer to which would be anxiously looked for by all persons; namely, whether that hope, whatever the value of it might be, of preserving the peace of western Europe, still existed in the minds of his majesty's ministers, or whether any expectation at all was entertained by them, that peace could be preserved? It would depend upon the answer which he received, whether he would put another question or not, arising out of the topic to which he had already alluded.

The Earl of *Liverpool* said, that on the first day the subject was introduced, he took the liberty, in answer to the noble marquis, of explaining the state of our foreign relations, as far as he conceived to be consistent with his public duty. He had then stated, that the door was not absolutely closed against the prospect of peace, and had deprecated any further discussion, as calculated to interfere with the exertions which his majesty's government were making towards the accomplishment of so desirable an object. Whatever difference of opinion might exist upon any other point, there was but one as to the propriety of maintaining a general peace. He, therefore, must again deprecate any further discussion, until it was evident that peace could not be preserved. He had no difficulty in stating, at the same time, that special circumstances had arisen, since the period before alluded to, and some of them very recently, which made him more adverse than before to any discussion of the existing differences between France and Spain. He would not shrink at a future day from explaining the grounds upon which his majesty's government had proceeded; but, as they all looked with anxiety to the preservation of what the noble marquis had called the peace of western Europe, he was sure their lordships would be induced to refrain from further observation; especially when he stated, that the forbearance which parliament had already shown, had afforded material advantages to his majesty's government in its negociations with foreign powers.

The Marquis of *Lansdown* said, that it was impossible to be dissatisfied with what had fallen from the noble earl, always bearing in mind that ministers were acting on their own responsibility. The observation, that the forbearance adopted by parliament, had afforded advantage to the negociations of the government, must have the effect of closing his mouth, as to the state in which those negociations at present stood; but there was one question that he felt himself justified in putting to the noble earl, and to which he did not anticipate any objection. It was, whether, in the course of the negociations which preceded the recent difference between France and Spain, any engagement had been entered into, as to any part which this country might take in the result of a contest? In short, whether this country was still unshackled, as to the course which she might feel it necessary to adopt, supposing a war between France and Spain to be inevitable?

The Earl of *Liverpool* said, it would be impossible to give a detailed answer to that question, without entering into a review of the whole policy adopted by this government for a considerable period; but this much he would say generally, that, this government had entered into no engagement whatever, nor would they feel themselves justified in doing so, which could prevent them from taking any course that might hereafter appear necessary to the honour and character of the nation.

Lord *Ellenborough* said, he did not rise for the purpose of putting any question, after the explanation of the noble earl; but he could not entertain any sanguine views, with respect to the preservation of peace between France and Spain, since the speech of the king of France. The noble earl had stated, that the same desire for a continuation of peace between France and Spain which was felt by his majesty's ministers, was also felt by the noble lords who generally opposed them. In that opinion he fully agreed; and he could say for himself, that he looked with the utmost anxiety to the prevention of any war, in the present state of the public feeling. But, if the mediation of England was conducted upon the principle of inducing Spain to give up any part of her constitutional privileges, we were as guilty of injustice, as the allied powers themselves; and the ministers, if they had so committed themselves, would incur a heavy responsibility.

HOUSE OF COMMONS.

Monday, February 24.

Foreign Enlistment Bill.]—Sir *R. Wilson*, in rising to present a petition from the inhabitants of the parish of St. Saviour's, Southwark, begged to state to the House, that he had no concern whatever in originating the petition. It was a spontaneous act of men, who had never been backward to complain of whatever appeared to them to be injurious to national honour or to European liberty. They were not men of words, but would follow up what they said by actions. The petition prayed, that the Foreign Enlistment bill might be repealed. He would not enlarge upon the prayer of the petition. But he could not avoid calling the attention of the House to the degree to which that new infringement of international law had been stigmatised, at the time when it was introduced. It had been so, not only by the mass of the people, but by those brave defenders of their country, who were ever ready to support the cause of freedom, and the best interests of man. He could not help congratulating the House and the country upon the favourable aspect of the policy of this country, and he hoped that those manly and liberal professions would be amply fulfilled. At the present most important juncture, it would require both caution and firmness on the part of this country; and he would add that, if the obnoxious measure were not repealed, it would counteract, in no small degree, those liberal principles.

Mr. *Hobhouse* begged to second the prayer of the petition, and at the same time to congratulate the House and the country upon the first step which had been taken, by rescinding the orders in council, to place England in a proper light in the eyes of Europe. It was a step absolutely necessary for the welfare of this country, and for the independence of the nations of the continent. For his own part, he thought, that nothing short of a war would satisfy the present infatuated government of France. He was convinced of the absolute necessity of repealing the Foreign Enlistment bill, the Alien bill, and all those other measures which had tended to connect this country with that impious league which, under the name of the Holy Alliance, had been formed against the happiness of mankind. When the Foreign Enlistment bill was proposed to the House, the late noble secretary for foreign affairs had stated, that it was at the express instigation of Old Spain. What reason then, could be more powerful in favour of its repeal, than the interests of that same Old Spain?—What could be more just than to listen again to the representations of that power, at whose request this measure had been adopted? He hoped the House would not hesitate to repeal these bills, and to show the Bourbons of France the determination this country had taken. It was with fear and trembling that he suffered the opinion to escape his lips, that war was inevitable. There was nothing more easy than to get into a war; but the difficulty of coming out of it with honour, and without committing the interests of the country, was too formidable not to be considered with alarm. He would not say one word that might seem to urge so perilous a measure; but he was sure, that if ministers were driven into it, they would be heartily backed by the whole country. He could not help thanking the ministers for the prudence they had hitherto displayed on this occasion. They should have his warmest praise (if praise from him were worth having) for the conduct they had hitherto pursued. He would be understood to speak of the present, and not the late ministry; for if the same language had been held at Troppau and Laybach, as he had reason to believe had been held at Verona, we should not now have been placed in the emergency of having to choose between the consideration of those difficulties and dangers which beset them at home, and the maintenance of the independence of Europe and the liberties of mankind at large. He was induced to mention this subject at the present moment, in consequence of the vile insinuations contained in a production, which, in other times, would have been called a treasury pamphlet. He knew, however, that this was no treasury pamphlet: it was called "The Crisis of Spain," and presumed to tell the people of England to be afraid of the line of policy which France might take. And for what reason should we be afraid of France? It could never be forgotten, that we had beaten France and Frenchmen before, on the same ground and for the same cause. This notable pamphlet bid us also tremble at what Austria might do. What had we to dread from Austria? Let Austria look to herself; for if England did but hold up her finger, all Italy would be in arms. Austria, indeed, was not in a condition to deter this country from pursuing that line of conduct which was alike dictated by justice and sound policy.

Mr. Secretary *Canning* said, that the hon. gentleman who had just sat down, had done ministers the honour to compliment them upon their conduct; and, among the good qualities which he had attributed to them, he had praised them for their prudence. He felt strongly, that that prudence forbad, at the present moment, any discussion on the subject, and he rose chiefly for the purpose of repressing any further discussion on a point which had originated accidentally. He should, however, act unfairly to that government of which he was so recent a member, if he did not reject any praise which was bestowed upon it, at the expense of those by whom it had formerly been composed. He was compelled in mere justice to say, that upon his entering the office which he had the honour to fill, he found the principles on which the government were acting, reduced into writing; and this state paper formed what he might be allowed to call the political creed of the ministers. Upon the execution of the principles there laid down, and upon that alone, was founded any claim he might have to credit from the House. With respect to the other topics which had been brought before the House, he felt he ought not to allow himself to be led into any discussion relating to them. Besides the general reasons which forbad any further debate while the smallest hope remained of compassing that pacific result in which the interests of Europe were so deeply concerned, there were some material circumstances which, at the present moment, made such debate particularly inexpedient. Before he sat down, he felt compelled to say that, in pursuing that policy for which the hon. gentleman had given them credit, his majesty's ministers had been aided by the forbearance—he would not say the unexpected forbearance—of the House.

Ordered to lie on the table.

NAVY ESTIMATES.]—The report of the Committee of Supply on the Navy Estimates being brought up,

Mr. *Hume* rose to notice one or two circumstances. The first was, the practice of the government with respect to the promotions in the navy during the last year. The House, he thought, was hardly aware of the amount of the expense which had been incurred, by the number of officers which had been added. He found that 5,689 officers, of the rank of lieutenants and upwards, were receiving half-pay, and that their half-pay and allowances amounted to nearly one million. He did not grudge the half-pay; but what he contended for was, that ministers were not justified in the additions they had made. It was his opinion, and that of many other persons, that promotions in the navy had now become the greatest means of patronage, and the extension of favour to individuals connected with that House. He intended to move for a return of the numbers promoted last year; and he should then show, that many of those persons were not entitled, by their services, to the situations in which they had been placed. The consequence of this had been, that many old and deserving officers had been passed by, who had become disgusted, and unwilling to serve on any future occasion, because young men of family or political interest had been placed over them. The injurious effect of this measure was apparent, when it was recollected, that the prosperity and glory of the country must mainly depend upon the sufficiency of its marine. The returns would show, that the conduct of ministers in this respect, had been utterly inconsistent with the professions of economy from the throne. He was not then prepared to move upon this subject; but if it should appear, that the increase of the half-pay and allowances, in consequence of these promotions, amounted to more than all the reductions in the civil department, he thought the House must be impressed with the importance of the subject: 780 persons had been promoted since the peace, and the consequent increase amounted to half a million sterling. There were, last year, no less than 120 promotions, which appeared to him to be unnecessary. With regard to the estimate, it was impossible to know what the reduction really was, because the hon. baronet (sir J. Osborn), whom he did not now see in his place, had stated, that certain items had been taken from the amount of the estimate this year, without specifying what those items were. Now, he should like to know what had been deducted from the estimate, and what the amount of that deduction had been. The estimate for 25,000 men was, he observed, no greater than the estimate for 20,000 men at a former period. It turned out, however, that some items had been reduced, which might occasion the difference. It would be proper, therefore, to state to the House what items had been taken out of this year's estimate, in order that they might clearly perceive how it stood with reference to the estimate of last year. As to the marine service, the knowledge of the House was extremely imperfect. He wished to have an estimate of the expense of the marines, of the same nature as the annual estimate of the expense of the military force.

Sir *G. Clerk* said, that with respect to certain promotions to which the hon. gentleman had alluded, it was unnecessary for him to enter into any explanation, as the hon. member intended to bring the subject under the consideration of the House by a specific motion. When the hon. member made that motion, the admiralty would be prepared to show, that they were perfectly justified in the course they had taken. Those promotions were made from persons belonging to the class of midshipmen, on those stations. If they were not so made, the vessels on foreign stations would soon be without officers. With respect to the question of the marines, if the hon. gentleman showed a fair parliamentary ground for requiring the information to which he had alluded, proper attention would be paid to it; but till he so introduced the question, it was impossible that a general answer could be given to it. The hon. gentleman observed, that alterations had been made in the navy estimates, by which the expense of wear and tear, &c. had been reduced, but that some new items were inserted in those estimates. The House, however, would find, that though the present estimate exceeded by 4,000 men the estimate of last year, yet there was a reduction on the former, as compared with the latter, of 220,000*l*. That saving was made under the head of victualling, and the wear and tear of ships. This might be accounted for, by referring to the great reduction in the price of provisions and timber, and also the reduction of the rate of wages in the dock-yards.

The resolutions were then agreed to.

RIOT AT THE DUBLIN THEATRE.]—Mr. *Brownlow* rose to move for a series of papers relative to certain proceedings which had recently taken place in the court of King's-bench, in Ireland. As he understood that there was no objection to their production, it was not necessary that he should preface his motion with any observations. He then moved for, 1. "Copies of the Committals of the persons engaged in the alleged riot and conspiracy on the 14th of last December, in the Dublin theatre." 2. "Copies of the Bills of Indictment, alleging a riot and conspiracy to riot, which were preferred to the grand jury in the city of Dublin, on the 1st Jan. last, and the finding of the jury thereon." 3. "A Copy of the *Ex-officio* Information, on the same subject, filed in the Court of King's-bench by his majesty's attorney-general for Ireland."

Mr. *Plunkett* said, it was, he presumed, the intention of the hon. member to follow up the motion for the production of those papers with some ulterior proceeding, with respect to what had taken place in the court of King's-bench, Ireland, and the transactions that had occurred there. As the present motion was merely for the production of papers, it was not his intention to invite any debate on the subject which the hon. member meant to bring before the House. He begged leave to express his extreme satisfaction on finding it at length announced, that the question would be specifically brought forward. He was glad that it was in the hands of the hon. gentleman, who would discharge his duty to the House and the country, on this, as he did on all occasions, with perfect propriety. But he could not avoid expressing some degree of surprise, that it had devolved on him to bring the question forward; because, when, on a former occasion, an inquiry was made relative to the catholic question, a right hon. baronet was so eager to give an opinion on this case, which had nothing to do with the question which had been asked, that he could not help observing, that these proceedings were an improper course of proceeding. When that right hon. baronet, who was a member of the legal profession, and who at one period had filled the office which he (Mr. P.) now held, felt it necessary to make this charge, that the proceedings were improper, he did expect that the right hon. baronet would have come forward himself in a manly manner, and abided by the charge he had thought fit to make. He was ready to meet the charge; and he could not but express his expectation, that the right hon. baronet would come forward to second the motion of the hon. member for Armagh, and to substantiate the charge which he had made. The transactions in the court of King's-bench involved a public question infinitely more important than any thing that merely related to himself. He hoped, therefore, that the hon. gentleman would take an early opportunity of bringing it forward.

Sir *J. Stewart* said, he had not pledged himself to make any direct charge on the occasion alluded to. He felt himself justified in offering the remark which had occasioned the observations of the learned gentleman, because the state of Ireland had been referred to at the time; and because he was convinced, that the late proceedings had not produced a good effect. He would say, in the face of that House and of the world, that those proceedings, if not absolutely illegal, were certainly unconstitutional. This he felt himself compelled to state, though he entertained the most friendly regard for the learned gentleman. He admitted the great talents and the tried worth of the learned gentleman; but no private consideration should induce him to shrink from what he conceived to be his duty.

The *Chancellor of the Exchequer* suggested, whether it would not be prudent, on every account, not to press the discussion farther. The proposition was, that certain documents should be laid on the table. No objection was made to the production of those documents. The right hon. baronet had, however, taken the present opportunity to state, that the acts of the attorney-general of Ireland, if not strictly illegal, were highly unconstitutional. Now, he did not think it was placing the House in a fair situation, to call on them, thus prematurely, to discuss a question which was of such vital importance to the learned gentleman, to the government of which he formed a part, and to the interests of the country at large.

Mr. *M. Fitzgerald* asked, as the parties were at issue, whether it was absolutely necessary, with regard to this question, to wait for the production of these papers? If it was not necessary, and if, in consequence of recent proceedings, the peace and tranquillity of the country had been disturbed, an expression of the opinion of that House ought to be sent forth as soon as possible. Looking to the temper and feelings of either party, he saw little prospect of the agitation which at present prevailed being speedily allayed. In his opinion, what the right hon. gentleman had said in favour of postponing this question, contained most cogent reasons for bringing it forward. The character of the attorney-general, and the character of his majesty's government, demanded this inquiry. But, there was a third party, the people of Ireland, on whose behalf he strenuously called for that investigation. Could the particular manner in which the indictment was worded, or the mode in which these persons were tried, at all affect the decision of the House? The question to be discussed was merely this—whether, after a bill of indictment had been ignored by the grand jury, it was proper to file an *ex officio* information against the parties?

Mr. *Croker* said, it seemed to him, that on a question of so much importance, papers should not be moved for on the sudden, and granted as a matter of course. No person could deny the right of that House to interfere with a legal proceeding, when a sufficient ground was laid; but he thought it would have been more consonant with the practice of parliament, and the law and constitution of the country, if the hon. member had given notice of motion. He strongly deprecated any interference, *per saltum*, with the proceedings of courts of justice.

Mr. *Brownlow* said, that before he moved for these documents, he had been given to understand, that there was not the slightest objection to granting them. He would submit a motion to the House on the subject, on the earliest possible day after the recess.

Mr. *Abercromby* doubted the propriety of the mode which the hon. member intended to take. If the hon. member meant to found on these papers a vote of censure on the Irish attorney-general, he (Mr. A.) should be placed in a very great difficulty. He felt that there was not any defect or illegality in the exercise of this power. It was not asserted, that the attorney-general had done what he was not legally entitled to do; but that he had lent himself to an unconstitutional proceeding. If that were the case, it involved an inquiry into the whole of the proceedings that had taken place; and, towards such an inquiry as that, the hon. member had made no advance whatever;

for he had not laid before the House those facts and circumstances which it was necessary they should know, prior to their deciding whether or not a censure should be passed on the attorney-general. There was another objection, which he put to the candour of the hon. member. Let the opinions on the catholic question be what they might, still no man who wished that subject to be fairly and temperately discussed, could wish it to be brought forward until the other was disposed of. His firm conviction was, that this preliminary question should first be discussed and settled.

Mr. *Brownlow* said, he intended to submit his motion, previous to the discussion on the catholic question.

The motion was agreed to.

Irish Yeomanry.]—Mr. *Hume* rose to move for returns of the names of all persons in the yeomanry service in Ireland, who received pensions in the nature of reward or retired allowances, the length of their respective services, the dates of appointments, &c. It appeared, he said, from parliamentary papers, that 1,278*l.* was paid in annual pensions to brigadier-majors of yeomanry in Ireland. It was new to him to hear of this sort of half-pay for yeomanry officers. In referring to the Irish accounts, he found no less a sum than 400,000*l.* paid in retired pensions and salaries. Now, the act of the 50th Geo. 3rd, c. 3, under the authority of which some of these military pensions were granted, expressly declared the nature of the rank entitled to them, and yeomanry brigade-majors were not mentioned; so that he was at a loss to see by what law such grants had been made.

Mr. *Goulburn* said, he had no objection whatever to the production of the information called for. With respect to certain individuals to whom the hon. gentleman had alluded on a former night, he wished, in justice to the parties, to give some explanation. The hon. gentleman, when speaking of major Collis, had said, that the major was not entitled on account of infirmities (the reason assigned) to the allowance which he received; and he gave three reasons for that opinion: the first was, that the major was not above 40 years of age; the second, that he had served but a limited period in the yeomanry; and the third, that that officer, so far from being infirm, was in good bodily health. These facts were not, however, correct. In the first place, as to length of service, he had joined the army in the year 1776, and was severely wounded in the following year. After serving 45 years, he was invalided upon the report of the medical physician, that he was infirm from repeated attacks of the gout, that he had a liver complaint, and was also suffering under a paralytic affection. Surely these were sufficient reasons for allowing such an officer a retiring allowance!

Mr. *Hume* said, that the case which the right hon. gentleman had just stated, was not that which he had mentioned on a former evening. His statement was, that major Collis had been pensioned after ten years' service, and that the Irish lawyers might as well call the major a woman, as a person entitled to the pension, according to the military regulations recognized by the act of parliament. It was not, however, of major Collis, but of major Bridgeman that he had spoken, as being a person, who, though retired "through infirmities," was as hale and as hearty as himself was, and only 45 years of age.

Mr. *Goulburn* said, that the explanation, in either way, was inaccurate. Major Bridgeman had joined the British service in South Carolina, so far back as the year 1780: and had served ten years as a brigade-major in the Irish yeomanry; but, even after this length of service, there was the most positive certification of infirmities, from the high authority of Dr. Rennie, of Dublin. Major Bridgeman had fallen from his horse in a fit of apoplexy, while in the discharge of his military duty; and had many years suffered from a constitutional determination of blood to his head, which had seriously affected his health, and rendered his retirement necessary.

The motion was agreed to.

HOUSE OF COMMONS.

Tuesday, February 25.

Colonial Revenue and Expenditure.]—Mr. *Hume* rose for the purpose of calling the attention of the House to the situation of the colonies belonging to Great Britain, and the expense of their government. He understood that the opposition which had been offered to his motion for returns connected with this subject had been withdrawn, and that ministers had agreed to grant them, as far as was practicable. After strong remonstrances, he had, last year, succeeded in obtaining such an account as could be rendered of the expenditure, in respect of the military establishment in those colonies. By an abstract of the actual disbursements of the several commissaries upon foreign stations, for the year ending 25th Dec. 1820, and paid by Great Britain, exclusive of the revenues collected in the several colonies, it appeared, that the following charges were incurred, viz. :—

	£.	s.	d.
Canada	354,721	12	9
Nova Scotia and New Brunswick	125,353	5	11
Newfoundland	9,921	7	2
Bermuda	28,269	13	10
Bahama Islands	7,904	18	0
Windward and Leeward Islands and Colonies	346,108	9	0
Jamaica	115,691	9	0
Cape of Good Hope	177,043	13	0
Mauritius	57,274	13	1
Mediterranean	201,247	4	3
Gibraltar	140,092	8	4
Sierra Leone and Gambia	62,298	4	1
Heligoland	6,371	2	6
	1,629,298	1	6
The revenue collected in these colonies amounted to	1,926,850	0	0
Making the total expense	£.3,556,148	1	6

In some of these colonies, a large revenue was collected by the local government, under an authority directly contrary to the spirit of the British constitution, which said, that no subject should be taxed but by an act of the legislature. They ought, therefore, either to be permitted to have a voice in the making laws for the government of their own affairs, or the amount of the revenue ought to be sanctioned by the House. By the accounts which the government had obtained within the last two years, it appeared, that the sum collected by the local government was so far from being equal to the expenses of the colonies, that, after nearly the whole of it had been laid out there, they required large remittances from this country. Upon reference to an abstract of the revenue and expenditure of Ceylon, the Mauritius, Malta and Gozo, and the Cape of Good Hope, it would be seen, that the amounts of their revenue and expenditure were as follows, during the years specified, viz :—

	Revenue.	Expenditure.
Ceylon, 1817	£.378,812	£.450,816
Mauritius, 1817	164,441	251,186
Malta and Gozo, 1818	108,336	105,761
Cape of Good Hope, 1819	116,115	119,087

It appeared from the report of the finance committee in 1817, that they had been aware of the mismanagement of this branch of the national interests, and had called upon ministers for an account of the expenditure of each of the colonies. They then learnt, that the government was not in possession of full accounts; and in this respect, therefore, their report was imperfect. They, however, inserted in it a recommendation, that steps should be taken in order to render the foreign possessions of the country more efficient towards defraying the charge of their own military expenditure. It was obvious, that the colonies, instead of being an addition to the strength of the country, increased its weakness; and he believed it would be better able to cope with any contingency which might arise, if those colonies were freed from their allegiance, and became their own masters. The commercial advantages to England would be still the same; for we should continue to be the principal suppliers. In the event of a war with America, we should have to defend Canada, and the distance to which we should have to send supplies, would give fearful odds against us in such a contest; while the expense would be five-fold more than the colony was worth. Ought we not, then, to be relieved from the drain which was caused by the colonies? The Cape of Good Hope had been now for seventeen years in the possession of the British government; and he was utterly surprised that it had been suffered to continue so long in its present state. It was under arbitrary laws, ruled by a military governor, and subject to the orders of the colonial secretary. The only code which they had was in the Dutch language, and was that commonly called the Statutes of India. They had been framed at Batavia in 1715, and having been agreed upon there, their operation was transferred to the Cape of Good Hope. The revenue and expenditure of this colony were extremely large, and called for the especial notice of parliament. Amongst the items from which revenue was raised, he observed some that were highly productive. It appeared, that the sale of wine-licences produced no less than 165,000 rix-dollars. There was one point, with respect to which government were bound to interfere. He alluded to the mismanagement of the currency at the Cape. By the immense issue of paper money, the currency was greatly deteriorated. Instead of the pound sterling being at five rix-dollars, so much was the currency depreciated at one period, that it was at 15; and, according to the last return, it was 12½; being 180 per cent in addition to the exchange. The governor was paid 10,000*l.* per annum by this country; so that he derived a very great advantage from the depreciation of the colonial currency. Several other officers received their salaries in the regular currency of Great Britain. The greater, therefore, the depreciation of the colonial currency, the more extensive was the advantage derived by them. This was a system which was evidently at variance with the principles of good government. The hon. gentleman then alluded to a proclamation which had been issued by the governor, forbidding the people to assemble at public meetings without his authority, under pain of imprisonment. The meeting which occasioned this proclamation had been convened, for the purpose of drawing up a petition to the English government, relative to the lands which had been allotted to certain individuals, and complaining of different acts of oppression. The people were not, however, allowed to meet. And, when they were not suffered to represent their grievances and demand redress, was it to be expected that they would remain quiet and contented?—He next adverted to the colony of Ceylon, which had a revenue of between 300,000*l.* and 400,000*l.*, but which revenue was considerably less than the expenditure. In the observations he had made, he meant not to give offence to any individual; but he thought he had made out a case which called for the prompt and serious consideration of the House. His object was, to have an account of the revenue of all colonies which were managed by the king in council, separately made out, and laid on the table every year, in the same manner as was done with other branches of revenue and expenditure. He concluded by moving, "That an humble Address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House, separate Accounts of the Revenue and Expenditure, Civil and Military, of the Island of Ceylon, of the Mauritius, of Trinidad, of Malta, and of the Cape of Good Hope, for the latest year the accounts can be made up for; together with an Estimate of the amount to be paid by Great Britain for the civil or military expenses of these colonies for the current year, so as to exhibit an Account of the total Expenditure for each colony, and of the whole in the year; and also, separate Estimates of the Civil and Military Expenses of every kind to be incurred by Great Britain for Upper and Lower Canada, Nova Scotia, and every colony in the West Indies or elsewhere, India excepted, not included in the preceding return, every year, along with the other estimates of the year, so as to exhibit the total Expenditure of the British Colonies."

Mr. *Wilmot* rose, not with any intention of opposing the motion, but for the purpose of giving an explanation on one or two points. Government had pledged themselves in the course of last session, to give the fullest information with reference to the expense of the colonies. That information was to be obtained through the agency of commissioners, whose reports would be laid before the House. It was intended by his majesty's government to lay on the table, with reference to the year 1824, an account of the revenue raised in those colonies, and the manner in which it had been appropriated. With respect to the sum expended by Great Britain in aid of the colonies, when the sum raised on the spot was not sufficient to meet the necessary charges, the hon. gentleman could see the amount in the estimates that were annually produced. He must, however, perceive, that it would be impossible to give him the information which he required, with respect to the exact portion of military force that it would be necessary to keep in each of the colonies every year. Government could not state the precise number of troops that would be requisite in every year. In fact, even if it could be ascertained, it would not be safe nor prudent to make the disclosure. Again, to say that every colony should be bound to answer for its military expenditure, and that a fixed number of troops should be maintained, would be to take out of the hands of government the discretion which it ought to possess, with respect to the disposal of the military force of the empire. There were many considerations, both of economy and policy, which forbad the adoption of such a principle. The subject could not be considered on such narrow grounds as those which had been stated by the hon.

gentleman. With respect to the income of the colonies, he should receive information on that head, and would then have it in his power to make such observations on its application as he thought proper. There was no portion of the administration of those colonies that would not hereafter come under the consideration of the House. When the proper time arrived, he would show how fallacious the reasoning of the hon. gentleman was, when he stated, that these colonies were rather a burthen than a benefit to the country.

Mr. *Bright* said, it was, in his opinion, high time to take into consideration the state of the colonies, for the purpose of forming wise and wholesome constitutions for them, or, in default of so doing, to make application to the throne that such charters should be granted to them as were suited to their peculiar interests and habits. Canada had been for a long time in the same state as some of the colonies which had that night been mentioned, until, at length, hasty and inefficient charters were drawn up. This, he hoped, would be avoided with respect to the new colonies; and that, in legislating for them, due regard would be had to their immediate wants and their original habits. The hon. mover had complained, that the Dutch law still prevailed at the Cape of Good Hope, and he had expressed his regret, that the British constitution had not been extended to that colony. But, was the British constitution fit for every soil? Were its principles in unison with the long-established manners and customs of every people? Could the laws of one country be transplanted to another, to the advantage of a people who had been accustomed to a very different system? Certainly not. The best system of law was that which agreed best with the habits and manners of a people; and therefore it was impossible to transplant an entire code of laws from one part of the world to another, so as to produce a beneficial effect. In forming laws, attention should be paid to the circumstances, feelings, wants, and habits of a community; and it was by pursuing that plan alone, that the Cape of Good Hope, or any other colony, could be effectively governed. Some of the doctrines laid down by the hon. member were at variance with the sound maxims of our forefathers; and the broaching such doctrines in that House, if they were suffered to pass unnoticed, would produce the most mischievous effects in the colonies. It was by considering their wants, by adding to their comforts, by treating them with kindness, and not by laying down sweeping propositions as to the way in which they ought to be governed, that we should conciliate their love, esteem, and respect. Doctrines like those laid down by the hon. member, if frequently introduced into the debates of that House, would be canvassed in the colonies, and must lead to feelings of a very dangerous description. They would extend slowly, but they would extend, and the consequences must be dangerous to the colonies. If the latter were attempted, this country would infallibly lose them.

Mr. *Maberly* could see no reason why the House should not have regular accounts of the income and expenditure of the colonies, in the same way as they had returns of every other part of the expenditure of the empire.

Mr. *Wilmot* said, that so far as it was possible, regular returns should be laid before the House. It was distinctly imposed on governors of colonies, as a duty, to send over such returns.

Mr. Hume consented to withdraw his motion, with the understanding, that the information required should be granted as soon as possible.

HOUSE OF COMMONS.

Wednesday, February 26.

AGRICULTURAL DISTRESS—SURREY PETITION.]—Mr. *Denison*, in presenting the petition of the freeholders of Surrey, in county meeting assembled, commented upon the great respectability of the meeting, and the degree of unanimity which had marked its proceedings. The petition complained of the weight of taxes and of tithes; of the expensiveness of government in all its departments—its diplomacies, its armies, its colonies, and in the collection of its revenue. It recommended reform in parliament, general retrenchment, repeal of the malt-tax, and of the house and window-tax—a measure which he was glad to see already partly carried into execution. There was one point, however, which the petition did not touch, but upon which it might with great propriety have dwelt, and that was upon the tampering with the currency of the country, first in 1797, and again in 1819. He was of opinion, that those changes of currency had produced more mischief to the nation than any other cause whatever. It would have been incalculably better to have at once reduced the standard, than to have adopted the course which was now working so much mischief. He thought that some amicable adjustment was necessary throughout the country. He would not agree, however, to the defrauding of any class. He was of opinion, that church and funded property ought to be respected. He thought that the clergyman had as good a right to his tithe, and the fundholder to his dividend, as the first nobleman had to his estate. It was his opinion, that, before they touched either the one or the other, every sinecure ought to be abolished, and every place reduced as low as possible.

Captain *Maberly*, as one of the small minority who had held up their hands against the petition, wished to say a few words. He was very far from thinking any general adjustment of contracts necessary. The instances of real suffering from the change of the currency were comparatively few; while the mischief of any interference with contracts would be incalculable.

Mr. *Ricardo* would not have risen upon this occasion, if the hon. gentleman had not declared, that he wished some amicable arrangement could be made by which that part of the country which was now profiting on account of the loss of the others, might be made to bear its share in the burdens. He complained that the words which had been used at that and at other public meetings, had been vague as to the advantage of the public creditor. For his part, he was at a loss to see what advantage the fundholder had gained. The argument appeared to him to be made use of rather upon the principle, that by giving your adversary's argument a bad name, you give your own a good one. Upon such grounds it was contended that the stockholder had met with nothing but gain; but those who had attended to the question, were of a different opinion. If only that which the fundholder was gaining now upon the sums which he had lent after the depreciation, was to be taken into the account, then there would no doubt be a balance in his favour; but, this view of the question would be most unfair. It would be stating the profit on the one side, without the corresponding loss on the other. If both of these were to be taken into the account, it would be found that the stockholder had had nothing more than was just; and that if the interest which he had been paid in depreciated currency, upon capital which when lent had not been depreciated, were to be set against the interest which he was receiving in undepreciated currency now, upon capital which when lent had been depreciated, then, not only would the loss in the one case compensate all that had been hitherto paid in the other, but would actually be equal to a perpetual annuity to that annual amount, which he was at present receiving. Mr. Mushett, of his majesty's mint, than whom nobody was better able to understand the subject himself, or to afford clear views of it to others, had, in a very luminous publication, demonstrated that this was the fact. A parade was made in the speeches at public meetings, of the 800,000,000*l.* of debt which had been lent in depreciated currency, and the vast amount of the difference of interest upon it; but it was well known, that about 400,000,000*l.* of this debt was borrowed before the Bank Restriction bill had operated any depreciation whatever; and another hundred millions had been lent to the government before any considerable depreciation had taken place. Hence there had been 500,000,000*l.* lent to the public in capital which was not depreciated. Interest in the depreciated currency had been paid upon this for twenty years; and the loss arising therefrom, according to the calculation of Mr. Mushett, was allowing simple interest, about 27,000,000*l.*; or, allowing compound interest, and that was the fair allowance, about 12 or 13 millions more. It would appear, that the whole loss which the stockholder had sustained, in consequence of having been paid in a depreciated currency the interest on the sums borrowed, previous to and immediately following 1797, was about forty millions. —Having thus stated the disadvantages to the old public creditor, he should next state what was the calculation of the same authority, as to the advantages since the depreciation had ceased, by the alteration of the currency. That he calculated at two millions per annum. Compare that with the previous loss of forty millions, and by converting that amount into perpetual annuity, we should have the sum of two millions a year. So that the profit and loss would be found to balance each other. Taking, therefore, the respective interests of the stockholder and the payer of taxes, it would be seen, that no injury had occurred to either. Whether his opinion was right or wrong, as to the depreciation that existed at the period of the alteration of the currency, still, on the calculations of Mr. Mushett, it was evident, that to the public creditor, the profits at the one time, though greater, would be balanced by the corresponding losses at the other. He stood not there to defend the alterations that had taken place in the currency. No man had taken greater pains than himself, either within or without that House, to show the absolute necessity of a fixed standard. His hon. friend expressed his regret, that what was called an amicable adjustment had not taken place in 1819, at the restoration of the standard. Why, then, had he not proposed it? It was suggested at that period by a noble lord (Folkestone), in place of reverting to the old standard, to alter it to 4*l*. 1*s*. being the amount of the variation between the paper and the price of gold at that time. But, supposing that suggestion to have been adopted, was it to be argued, that a loss of 3 or 4 per cent could have produced all those distresses to agriculture, which the most extravagant opposers of the alteration of the currency attributed to that measure? Their opinions, even as to the amount of the depreciation, were irreconcileable: some stated it at 20 per cent, others contended it was 100; while the most extravagant went the length of asserting, that it amounted to 300 per cent. Suppose, however, that in place of reverting to the ancient standard, it had been increased 100 per cent, did they think no evils would have followed? Would the result, after doubling the amount of all the taxes, have left what now existed—an increasing revenue and a thriving trade? It was not his intention to renew the discussion on that hackneyed topic, Mr. Peel's bill; but, as such a variety of contradictory opinions had been given on its effects, he would state what was the opinion of a bank director on its efficacy, as it operated on the proceedings of the Bank. Mr. Turner, who had been in the direction for two years, decidedly said, that as to the operations of the Bank, Mr. Peel's bill remained a dead letter. It had neither accelerated nor retarded payments in specie; except by the payment of ten millions of exchequer bills to the Bank, which enabled it to expend that amount in the purchase of bullion. Taking into consideration the rule by which the bank directors generally admitted they regulated their issues, namely, the application for discounts, and coupling with that the low rate of the interest of money, the circulation would have been the same, and consequently the distress of agriculture as great, even if that bill had never passed.

Lord *Folkestone*, referring to the question of his hon. friend, whether, if the standard had been increased even to the proportion of being doubled, the country would, under such circumstances, witness the phenomena of an increasing revenue and a thriving trade—contended, that there existed no similarity in the two cases. He should first beg leave to doubt one of the data of his hon. friend; namely, the existence of a thriving trade. When, a few nights past, one of the representatives for London, presented the petition of the city, he had laid considerable stress on the stagnation in trade that existed. Another hon. member, connected with commerce, the very night of the financial discussion, adverted particularly to the distresses of a very important branch of our commercial relations—the shipping interest. These facts were not easily reconcileable with a thriving trade. With respect to the suggestion he had made, in 1819, of increasing the standard to 4*l*. 1*s*., he confessed that now, after mature consideration, he was convinced that that amount of increase would be wholly inadequate to the state of things. That principle was limited to the variation which existed between paper and gold at the particular period. His hon. friend himself then argued on the assumption, that the amount of that variance did not exceed 5 per cent. And here he must be allowed to say, that his hon. friend had not been perfectly consistent with himself; for he had since admitted, that the variance was as great as 10 per cent. He (lord F.) maintained, however, that the depreciation was infinitely greater. The fallacy that ran through his hon. friend's argument was this, that he took into his calculation only the comparative depreciation that at the time existed between paper and gold. But there were many causes which operated to produce the depreciation of gold long before gold and paper separated. It was the effect of a depreciated paper currency to take gold down with it; until at length it refused to bear company with paper. That effect would take place under any circumstances where a depreciated paper existed; but there were circumstances of a municipal tendency in this country, that additionally operated to lower the value of gold. The penalties heretofore inflicted on the melting or the exportation of the coin, must have tended to lower the value of the gold currency, long before its separation from the paper, and before the gold was enabled to find its own level. The calculation of Mr. Mushett, which overlooked altogether that great depreciation, and which restricted itself to the variance between the paper and the price of gold, was not founded on correct views. Even before 1797, the value of the gold had suffered a depreciation; as must ever be the case whenever there existed a mixed currency of paper and specie. He was wrong also in the epochs, as well as in his data. His hon. friend, in assuming these data, confined the depreciation within improper bounds, as the gold itself was much more depreciated at the time of the alteration of the currency than he had stated. Though he (lord F.) considered it expedient to raise the standard at least four per cent in 1819, he felt now that he had suggested a very inadequate remedy.

Mr. *Wodehouse* expressed his disinclination to prolong the discussion, but he could not allow the opportunity to pass, without submitting to the consideration of the House, and particularly to the hon. gentleman who disputed the effects of the alteration of the currency, the high and acknowledged authority of the late Mr. Henry Thornton, on that memorable discussion upon the report of the bullion committee, on the 6th of May, 1811:—"To change the standard when the paper has been long depreciated, is only to establish and perpetuate a currency of that value to which we already are accustomed, and may also be made the means of precluding further depression. The very argument of justice, after a certain time, passes over to the side of deterioration. If we have been used to a depreciated paper for only two or three years, justice is on the side of returning to the antecedent standard; but if eight, ten, or even fifteen or twenty years, have passed since the paper fell, then it may be deemed unfair to restore the ancient value of the circulating medium; for bargains will have been made, and loans supplied, under an expectation of the continuance of the existing depreciation."

Mr. *Sumner* observed, that the meeting at which the present petition was agreed to, was numerous, and that it had been convened by the high sheriff; but he disclaimed all the imputations which it cast upon that House, in keeping up an exorbitant expenditure, and an extravagant military establishment. He was certain that the petition did not speak the sentiments of nineteen-twentieths of the freeholders of Surrey. He believed that such a reform as was contemplated in the petition would be any thing but a remedy for the distresses under which the country laboured; for, if corruption were really the evil which existed, that evil would become a thousand times more formidable, if the representation should fall into the hands of those persons who were most desirous of the change.

Mr. *Grey Bennet* agreed, that the question of the currency, with reference to the existing agricultural distress, ought to be brought forward specifically in that House. His hon. friend, the member for Essex, would, before this, have submitted his motion on that important subject, if the delicate state of his health had not prevented him. He would not now go into that question; but he could not avoid expressing his astonishment, when he heard his hon. friend asserting, that he did not consider the distress which weighed heavily on the agriculturists, to have been, in any great degree, produced by the change in the currency. Was it possible, when the currency was raised from a depreciation of 40 or 50 per cent, and placed at par, that such a change could take place, without having a considerable effect on the property of the country? Transactions which had been carried on in one currency, were now to be paid in another—debts which had been contracted under a depreciated currency, were now to be paid in gold; and yet, to his utter astonishment, his hon. friend argued, that such a transition had produced no ill effect. He, however, was prepared to show, that it had operated a depreciation of not less than 40 per cent. But, supposing it to be only 10 per cent, how could his hon. friend give his assent to a measure which imposed a tax of 10 per cent on every debtor; which added 10 per cent to the property of every creditor; which raised the value of every placeman's salary 10 per cent; which gave an addition of 10 per cent to that large class of persons who were creditors of the state, from the king on the throne to the lowest constable in the country? The House had proceeded, ignorantly and confidingly, in legislating on this subject. They began by supporting the measure proposed by Mr. Pitt in 1797; they had agreed to every measure which his successors had brought forward with respect to the currency; until, in 1812, they came to that memorable vote, by which they declared (O! wonderful wisdom of parliament!) that things which in the market were of different value, were equal in public estimation. They had stripped lord King of his property: and he doubted not, that the hon. member for Surrey, who now talked so feelingly about public spoliation, gave his assent to the measure under which that confiscation was effected, when parliament declared, that debts which were contracted to be paid at the rate of 1*l.* 1*s.* should be discharged at the rate of 14*s.* Parliament had been led to do this ignorantly and confidingly, but not dishonestly; but, having done it, they ought to look back to the want of knowledge and information which prevailed when they legislated on this subject; and, when they saw the overwhelming distress which that want of knowledge had caused, they ought to take into their serious consideration the means best calculated to remove or alleviate the existing evil. Parliament had been asked repeatedly to take this subject into its consideration. Committee after committee had sat, to inquire into the cause of agricultural distress, and one would suppose it to be almost impossible, that a question of such vital importance as the effect produced by the changes which had taken place in the currency, should not have been made the subject of investigation by some one of those committees. This had not been done; and certainly it was not wonderful, when they considered the rapid growth of intelligence throughout the country, arising from the dissemination of the debates of that House, and the publication of books out of it, if the people felt it necessary to discuss this question at public meetings, since parliament refused to entertain it. He, however, did not know a worse place for the discussion of such a question than a public meeting. It ought to be debated in parliament. But, if parliament would not do its duty, the people would do theirs. Certain he was, that not a public meeting would in future be held, at which this subject would not be taken into consideration. Though gentlemen might scout these opinions, and load those who held them with all the hard names they could think of, still he would prove, even against the authority of Mr. Mushett, that the substantial justice of the case rested with the petitioners.

Mr. *Peel* said, he did not rise to discuss the question of the currency, for he deprecated all incidental debate upon the subject, more especially as a notice of motion had been given, which would bring the whole question under the consideration of the House; but, if he remained altogether silent, he might be supposed to acquiesce in statements, the validity of which he could never admit. How was it possible to suppose that, after the long derangement which had taken place in the currency, its value could be restored by the bill of 1819, without partial pressure and inconvenience? It was no solid objection to this measure, that such pressure was proved to exist. It was a consequence that could not be avoided. Before 1819, as far as the fundholder was concerned, a great part of the debt was contracted in a depreciated currency; but it should not be forgotten, that there was a distinct enactment to the effect, that on the arrival of peace the currency should be restored. Different views of policy might be fairly entertained at different periods; but surely at all times, and at all periods, equity and justice were the same. What was just in 1811, was just in 1819, even though the pressure in the latter year were greater than in the former. What was the resolution proposed to the House in 1811, by Mr. Horner? why, that payment in cash should be renewed by the Bank, not within six months after the ratification of a definitive treaty of peace, but within two years from that present time. When it was found necessary to enact, that the payment of promissory notes in cash should be suspended, it was not in contemplation of those who passed the act, that any change should take place in the value of promissory notes; and that was what the House declared in its resolution of 1811. At the present period, then, would it be just, to make any deduction from what we were bound to pay the public creditor, on account of a change of value? Such was not the intention of parliament when it contemplated a return to cash payments on the event of peace. For himself, he maintained every opinion on the subject which he had advanced in 1819. He still deprecated a partial discussion, but he appealed to the internal state of the country now and in 1819, as an evidence in support of his opinions.

Mr. *Monck* said, that if, as was asserted, the old restictrion act committed a great injustice on the public creditor, it was no less true, that a great injustice was now inflicted on the public debtor. Mr. Mushett's tables, it should be observed, only went down to near the present period; but, while the injustice to the creditor only operated at the utmost for about twenty years, that to the debtor would, if persisted in now, affect him in perpetuity. Those who were opposed to his opinion, considered the question as only between the creditor and debtor; but there was another class distinct from both, whose interests were most seriously affected. He meant heirs at law, mortgagers, and others who made contracts under very different circumstances; and who, if the House did not interfere, must be stripped of their property, and consigned to absolute ruin. A very serious fallacy existed relative to the currency up to 1819, namely, that there was no difference between the price and the value of gold; but the fact was, that when the price was depreciated not more than 4 per cent, the value of the gold itself was depreciated 40 per cent. When the bill passed, the price was fixed at 3*l.* 17*s.* 10½*d.*, but the value of the metal had enhanced, and went on enhancing up to the present period. During the suspension of cash payments, the value of gold was so depreciated, that, for the first time in the annals of the world, an ounce of gold only represented the value of one quarter of wheat. He would ask, at what period of the world, in what *chronicon pretiosum* did it occur, that an ounce of gold only represented, and was exchangeable for, a quarter of wheat? In former times, as now, the ounce represented at least two quarters; but, whatever was the cause, there could be no doubt as to the effect. It was certain that the landed proprietors must reduce their rent at least two-thirds. Those proprietors now received but 6*s.* 8*d.* where they formerly received a pound; but, as debtors to the exchequer, they were still called on for the pound, while they received but the 6*s.* 8*d.* He threw out these observations, with a view of accounting for the cause of the unparalleled distress which overwhelmed the productive industry of the country; and he was convinced that, the more the House considered the subject, the more they would feel themselves bound to apply a just and equitable remedy.

Mr. *Ricardo* admitted, that the noble lord was correct, in stating that he (Mr. R.) had on one occasion computed the depreciation at 5 per cent, and that he now found it to be 10 per cent; still, he was not in error. His first computation referred to a payment in bullion; and it would have been correct if the Bank had acted precisely in the spirit of that bill: but, instead of doing so, they had got together a large quantity of gold, which they coined into sovereigns, and then they came down to the House to procure an act, enabling them to get rid of those sovereigns. If the measure of which he approved had been acted on, the depreciation would have been but 5 per cent; because it would have been measured by the price of gold.

Lord *Folkestone* said, he had supposed the hon. member to have been arguing with reference to Mr. Peel's bill; but now he discovered, that his argument rested on a measure which existed only in his own imagination.

Ordered to lie on the table.

Corn Laws.]—Mr. *Whitmore* rose, pursuant to notice, to bring under the consideration of the House, the Laws relating to the trade in Corn. He would, in the outset, touch upon the objections which he understood were made to his introduction of the subject. In the first instance, it was objected, that the discussion could only tend, from the want of practical result, to increase the despondency already so extensively felt. He differed entirely from those who started the objection. Though there should be no practical result, yet he was convinced that a rational discussion would have a considerable effect in dispelling alarm, and when he felt that the law was the cause of the distress experienced, and the very root of the evil, he could not feel that he did his duty if he neglected to introduce the subject to the consideration of parliament. With reference to any objection as to the time of discussion, he would say, that if he had taken a right view of the question, no time could be unpropitious for its consideration; and he should think the present time well adapted to that discussion; for, in the consideration of a law affecting the necessary food of the people, it was of the greatest importance, that any debate relative to an alteration should take place, when that alteration appeared to be prospective, and when the passions of the people not being excited, a degree of tranquillity prevailed, which was most favourable to a right view of the subject. He acknowledged, that in coming to a decision on this question, he had felt great difficulty. It was one of vast magnitude, and of complicated interest, but he trusted he should be able, without occupying much of the time of the House, to place his view fully before them. He considered, that the main feature of the question affecting the agricultural interests, was the principle of fluctuation; and here he felt it right to state, that he wished to keep the question of the currency as separate as possible from the present, that the House might more easily form a right view of both. He would, in illustration of his view, suppose that a law, similar to the Corn bill, had been adopted in Holland, which was an importing country, to a considerable extent. Suppose, then, such a law in Holland, there would be high prices for some years—a great appropriation of capital to agriculture—poor soil brought into cultivation—the breaking up of old pastures. Now, supposing the extent of territory sufficient, there would at length be in average years, a produce sufficient for the consumption of the country; and it was quite obvious abundant crops would give considerably more than the necessary consumption. The superabundant quantity so produced would fall back on the market; the produce would, in consequence, fall in price, until it came down to that of the corn in the exporting markets. The result would be very considerable distress—destruction of capital—destruction of soil on account of the abstraction of manure—poor land forced out of cultivation—and, instead of abundance, there would be in two or three years a positive deficiency. Thus it appeared, that such a law could only operate, either in producing a superabundance and glut, which brought ruin to the farmer; or a great want, which, he believed, in the end would be as injurious to the farmer as to other classes of the community. He drew this state of things with respect to Holland; and, if they looked to England, they would find that, from the similar character of the state, the operation of the law must be the same. England had been, as to agricultural produce, an importing country, as well as Holland. Let them look to the year 1815, the one subsequent to the war. The events of that year were acted upon by the peculiar circumstances of the war. The year before, the crop had been poor, and the demand very great. In that year, an important reaction took place. In that year the bill, which, sooner or later, must be repealed, was passed. There were high prices in consequence at the close of 1816, and they continued in 1817 and 1818. In 1817, wheat was 80 shillings a quarter; in the beginning of 1818 it was 84 shillings a quarter. In 1819, prices fell, and succeeding good crops kept them down. That of 1820 was abundant, and that of 1821 was a good average crop, though somewhat injured in quality. This abundantly bore out the analogy of his supposed case of Holland to that of this country.—He was now about to open to the House a consideration which he thought of the greatest importance. He had long been persuaded that they had arrived at that period when the low prices had reached their term, and when, therefore, they were bound to contemplate a different prospect—one which, if not providently viewed, was likely to be attended with considerable danger. He felt thoroughly persuaded, that the consumption now apparent, and arising out of the low price, was going on at a rate which could not be long supported; more particularly as foreign speculation was in some degree at a stand in the corn market; and, if they looked at home, tehy would find that the greater part of the stock of the farmers had already gone through the miller's hands in course of use, and that the remaining store in the hands of the farmers was considerably less than it ought to be at this season of the year. He had documents to establish this fact, and, without trespassing on the patience of the House, he hoped to be permitted to refer to one of them, in support of the view which he took of this part of the subject. It was a letter he had recently received from a man of great authority in matters of this kind—Mr. Cropper, of Liverpool; which stated that, although they must rely a great deal on general principles in applying facts connected with the extent of the growth and the rate of consumption, yet that the main occurrences of the market were clear, and could not be mistaken; and the writer went on to state, in surveying the crops for several years; first, that the crop of 1820 was abundant, and was also attended with a great foreign importation; that in 1821 the crop, though particularly wet, was still an average produce, while that of 1822 was something below an average crop. The consumption of wheat in 1821 showed an increase of 7½ per cent, as compared with that of the preceding year; but the increase of 1822, as compared with that of 1821, was an advance of 22 per cent. This great increase of consumption was owing to the advanced wages of the manufacturing classes throughout the country; indeed, in some places, the improved choice of food had almost cast brown bread, previously so much in demand amongst the humbler classes, out of use; and he knew some friends, who in their neighbourhood in the country were unable to procure it. In Lancashire, too, the oaten cake, so generally used by the people, was disappearing, and a better sort of bread substituted in its place. In this way the consumption was going on at a far greater rate than the growth; and the prospective difficulty was, how an eventual supply was obtainable, if matters were permitted to rest upon their present footing. In common times, perhaps, there would be no necessity for adopting some prospective measure; but these were not common times, when such a subject could be overlooked. It was material, when they saw that the manufacturing classes were using the best wheat, and laying aside the inferior quality, to look at the inevitable consequences of the alteration.—With respect to the general state of the country as to its capacity of production, he had several documents, but he should merely state to the House the result of the information which they contained; and it was, that a very great deterioration of soil had taken place; the poor farmers and others, and particularly in Nottinghamshire, being unable to purchase the necessary manure for fertilization. In some places, this led to a falling off to an extent of nearly one-half, in others it was two-thirds, and so on, at various diminished rates. Lime formed a material ingredient in manure, and, in a limework of his own, he had an opportunity of knowing the reduced amount of sale. His average sale for ten years was 42,681 bushels; but, in 1820, it was 30,331 bushels; in 1821 it was 30,528; and in 1822 it was only 20,790. Suppose this reduced cultivation were accompanied by a bad harvest, who could look at such an event without serious alarm? It was on this ground, that he called on them to provide in time a remedial measure. The state of the farmers was one of progressive ruin; and yet they were told, they had a protecting price. It would be nearer the mark to call it a destructive and a ruinous price. Before he adverted to the alteration which it was his intention to propose in the existing law, he would briefly review the effects of the present law, politically and commercially considered. And first, with regard to its political tendency, he was persuaded that nothing could be more calculated to subject the country to the greatest peril. The law would either answer the purpose for which it was framed, or it would not. If it did not answer its purpose, it was contemptible below ridicule. If it did answer its purpose, in what situation might not the country be placed by its operation? The effects of it would be totally at variance with all that had been hitherto considered as practically beneficial in the country: they would be at variance with all that union of interests which had hitherto constituted the strength of the country: they would be at variance with all that feeling which had hitherto caused the aristocracy of this country to be considered as the friends and protectors of the other classes of the community. In vain was such an attachment as that to which he last alluded, looked for in any other country than in England; and every circumstance by which it was endangered in this country, also endangered the public tranquillity. With regard to the operation of the existing law upon trade, the effects of it must be in the highest degree injurious to those manufactures which it ought to be our object to promote; as on them so materially depended our strength and prosperity. Instead of exposing manufactures to danger so imminent, every effort ought to be made to prevent our manufacturers from being tempted to withdraw their capitals to other countries; and thereby to deprive great masses of our population of employment. On that point we ought to take warning from the fate of other nations, once opulent, but now the abodes of poverty and distress. Let the House look at Italy:—

"———— Not far removed the date,
When commerce proudly flourish'd through the state:
At her command the palace learn'd to rise,
Again the long-fall'n columns sought the skies:
The canvas glow'd beyond e'en Nature warm;
The pregnant quarry teem'd with human form;
Till, more unsteady than the southern gale,
Commerce on other shores display'd her sail;
While nought remain'd of all that riches gave,
But towns unmann'd, and lords without a slave:
And late the nation found, with fruitless skill,
Its former strength was but plethoric ill."

The alteration which it was his intention to propose in the present law, was to lower the import price 2*s*. a year, until it came down to 60*s*.; because he was thoroughly persuaded that foreign corn could not be brought, in any considerable quantity, into our markets, when the price was so low as 60*s*. Encumbered as the agriculturists were with the payment of the poor-rates, he certainly could not say that he was an advocate for a free trade in corn. But he maintained, at the same time, that it was altogether impolitic and unsafe to continue the duty at its present amount. It would be by no means politic, or even practicable, to continue the high duty, when corn should arrive at the scarcity price. It was impossible that foreign corn could be purchased abroad at a less rate than 38*s*. If the expense of freight, the profit to the merchant, the contingent losses, &c. were calculated, it would be evident, that with a duty of 12*s*., foreign corn could not be brought into the English market under 60*s*. All that was wanted by the country was, to avoid the injurious fluctuations that had of late years taken place in the price of corn, and to secure what might be considered as a fair level price. The hon. gentleman concluded by moving "for leave to bring in a Bill to amend the Corn Laws."

Mr. *Curwen* rose to condemn the unwise course which the hon. member had taken, in the introduction of this question. He should not feel that he was doing justice to the memory of a late statesman (the marquis of Londonderry), if he did not declare his conviction, that in the latter period of his life, that individual had done all that he could do, for the protection of agriculture. He (Mr. C.) did not wish for great protecting prices, but he wished to see every acre of land that could be made available, under cultivation. They had been told that remission of taxation would effect no relief to the agricultural interest; but, from the remission already effected, agriculture had, in fact, experienced the greatest relief. Under the present taxes, nothing short of an almost total failure of the crops could again bring up the price of corn to a scale which would keep the ports open. The hon. gentleman should have remembered, that, during the last twenty-two years, the state of agriculture in Europe had changed entirely. It had been at one part of that period estimated by Mr. Rose (a gentleman by no means unacquainted with these details), that in one season, all Europe together could not produce sufficient wheat for six weeks' consumption of England; namely, about 1,500,000 quarters. Now, however, if the ports were open, such would be the glut of this produce, that at least double the quantity would be imported. He thought every one would allow, that the general deterioration of agriculture in this country was great. Not only was there a vast deterioration of rents, but the ground itself had become immensely depreciated. The depreciation of soil, which was worth in 1814 as 22, was so great, that it was now worth only 18; and the effect of this upon produce had been, to make a difference, upon the average year, of 1,000,000 of quarters, or about one-half of what we imported from Ireland. Though he by no means approved of the law as it now stood, yet he believed it to be the best which we could have, under existing circumstances. All he asked for was, for prices: not such as would bear heavily on the manufacturing, or on any other interest in the country; but such as would enable the agriculturists to share in the general prosperity of the country. What had been suggested by the hon. gentleman would effect no sufficient relief. It was impossible that he (Mr. C.) should not rejoice in the flourishing condition of the revenue; but even that condition had as yet effected no sufficient relief. The chancellor of the exchequer had informed them, that he intended to take off 2,000,000*l*. of taxes, which would include 50 per cent on the assessed taxes. But, would that reduction be a sufficient relief to the landed interest? Could it be supposed that the landed interest, who had been compelled to give up their establishments, could resume them merely on this reduction? He did hope, that the right hon. gentleman would take off more than 2,000,000*l*.; although it could not be doubted that the remission of that sum would extend a great relief to the country in general. The taxes yet to be remitted should be those which bore on the poor; for then the employment at low wages would be a lesser evil than at present. He would suggest the propriety of repealing the duties on candles, on soap, and a few others, which materially pressed upon the cottagers. But, what should be done of all other things was, to take off the malt-duty. That was a matter which deeply affected, not merely the health, but the morals of the people. On every principle of morality and of domestic policy, he should like again to see the time, when the poor cottager would be enabled to brew his own beer—a beverage not more essential to his comfort and his strength, than to his happiness and well-being. Let those who could remember the times in which this class drank malt liquors only, contrast their condition at that period with their present appearance and situation, and the mischievous effects of spirituous liquors as the habitual drink of the poor labourer, would be most apparent. He was one of those, most undoubtedly, who would wish that a single quarter of foreign corn might never be imported into this country. The fact was, that during a long series of years, there never had been a period at which this country was labouring under any thing like a real, an actual scarcity: and the proof was, that when the ports were opened, the glut, although the importation lasted for only a fortnight, was enormous. He was rather for the existing law, than for the adoption of any alteration in it at present; and, on these grounds, he should certainly oppose the hon. member's motion, though he did hope, that that hon. gentleman, looking to what appeared to be the manifest sense and opinion of the House upon the subject, would himself consent to withdraw it. The greatest of the evils that now depressed agriculture, was the number of our poor: and nothing would tend so much to reduce that number, as to remit the taxes which bore most heavily on the lowest classes of the labouring community. This to him appeared the surest means of re-establishing the prosperity of the country. If the chancellor of the exchequer only meant to take off this portion of the assessed taxes, he would do little or nothing towards effecting this particular object. If he (Mr. C.) were called upon to state his own view of the further measures of relief, which it was expedient to adopt, he would say, "Take off the candle-tax, which is one of 10*s.* yearly to every poor man in the country. Then, instead of the cottager's being compelled to give 7*d.* for his candles, he would pay only 3½*d.* for the pound. Take off, also, the tax from the windows of his cottage. It should be entirely remitted to every cottage of a rental under 5*l.*; and this measure would relieve almost every labouring cottager. Then take off the remaining tax on malt. The taxation on the preceding articles would amount to about 18*s.*, and adding the malt, you would cause so material a reduction, that the effect would soon be to call into cultivation millions of now unprofitable acres." Whatever claims this great interest might seem to have on public or private debt, by reason of the alteration that had taken place in the standard of our currency, and the consequent value of money, he would be the last man in the world to propose going back to our former state, in regard to that subject. To disturb its present condition, would be, probably, more fraught with mischiefs, than any plan that could now be devised with a view to its alteration would be likely to have any beneficial effect. He did, however, call upon those whose peculiar duty it was, to consider most attentively, matters of this description; to watch narrowly the tone and temper of the times, and to administer some remedy for the intolerable distresses of the agricultural interest before it should be yet too late. Unless they did this, they would compel the country to call for any thing which would afford them relief. What was it which induced the freeholders of Norfolk to adopt the late petition? Was it the influence of the individual by whom it was proposed? Most certainly not. It was adopted because of the severe pressure under which the people laboured. And they might depend upon it, that unless some relief was afforded to the agricultural interests, the table of that House would be crowded with similar petitions from all parts of the country. The funded property was as well able as any other to bear its share of taxation. This had been decided by a court of law, so far back as the reign of George the 1st, and it only required the explanation and arrangement of some local difficulties which at present existed. He hoped that those difficulties would be removed, and that funded property would be made to contribute its quota to the necessities of the state in the shape of taxes. By doing this, and by enforcing the most rigid economy in every branch of the public expenditure, they might avert the necessity of an act which he at present considered as unjust; but which, in the absence of retrenchment and reduction, would be, in a few years, called for by the greater part of the population.

Mr. *Benett*, of Wilts, said, he concurred in thinking that it would be better for the country to continue the law in question, as it at present existed, than to disturb it, by acceding to the motion. Part of the principle of that law was to give a bounty on the exportation, as well as to lay a duty on the importation, of corn. In this, also, he concurred; and, indeed, that great authority, Adam Smith, had laid it down as a maxim, "that any country which depended on another for any portion of its food, or actual subsistence, could be said to have no other than an ephemeral existence;" and Mr. Malthus had advanced the same position, in almost the same words. He would now take the liberty of submitting the result of some very careful calculations which he had made in relation to the subject before the House. In the first place, there had been a great cessation, or reduction of cultivation, since 1815. The income on taxes raised on the land in that year was fixed at 43,000,000*l.*; but that income had since become greatly reduced. The amount of taxation upon the cultivated land was then at 58 per cent. Suppose that rents had subsequently been reduced—say 9*l.* per cent only—that would bring the amount of taxation, in fact, to 67 per cent. His next object was to show what had already been done, and what might yet be effected, in the reduction of this taxation. He was as anxious as the hon. member could be, for low prices. He considered, that they should be as low in this country as in any other in Europe: but to make them so, it was first necessary to keep as low as possible the price of cultivation; and that could only be effected by the reduction of the taxes which affected it. Taking, then, the total amount of taxation on the cultivation of land in this country to be 67 per cent, he came to the consideration of what portion of this amount had been reduced. They had done away with the tenant's property-tax, and that amounted to about 7½ per cent. They had next reduced the agricultural horse tax, which amounted to 1½ per cent. This last item was by many persons reckoned as a trivial one; but he maintained, that every one per cent which gentlemen could succeed in inducing government to take off from these taxes, was so much put into the pockets of the agriculturists. The farmer would, by-and-by, right himself: but the rent was, in effect, only the balance between the cost of cultivation and the price of produce. A reduction was next made on the malt-tax, amounting, on the farmer's home consumption, to about 1½ per cent. But there was a further reduction, owing to the price which barley had of late years sustained. The relative price of barley to wheat in the last year, had increased in the proportion of about one-third. In the present year, barley had been fetching 30*s.* per quarter, when the sack of wheat had been at 20*s.* only. Here, consequently, was an increase of barley price above wheat of 10*s.* This increase had been partly occasioned by the recent deficient crop of barley; but chiefly, perhaps, by its increased consumption. On this article, therefore, the further reduction might be assumed at 2½ per cent, this being equivalent to a total reduction on the malt tax of 4 per cent. He would now speak of a tax more important in its nature and operation, than any other of which he had spoken; he meant the salt tax. This was what might be called an indirect tax, but it bore upon almost every article of property which a farmer had; it bore upon the price of his manure, the price of his harness, and so forth. Now, the reduction on this duty, taken at the lowest rate, was equivalent to 7*l.* per cent on dairy land, and on arable, it might be about 3*l.* per cent; yielding altogether 10*l.* per cent. Perhaps the fair average of the reduction would be, on land generally, 5*l.* per cent: making a reduction altogether of 18 per cent upon the rental, arising out of the reductions effected in taxation on the cultivation of the land. This showed what beneficial effects were to be derived from persevering in a reduction of taxation. To prove that the depreciation of prices did not arise from an importation of corn, he observed that, for 64 years of the last century, wheat was at 32*s.* At that period, our exports of corn exceeded our imports; there being a duty on the one and a bounty on the other. In 1793, when our imports increased, wheat rose to 45*s.* per quarter. Here was a rise of 13*s.* per quarter, notwithstanding the import of the commodity had increased. The great pressure under which agriculture laboured, was the immense taxation with which they were borne down; in addition to this, they had the charge of the poor-rates. The price of labour had fallen in proportion to the reduction of the price of wheat, so that the burthens of the farmer increased as his resources diminished. The farmer might receive a certain extent of relief from the effect of low prices, by a reduction of his rent, but he could receive no relief from the injuries sustained in consequence of the late alteration in the currency, except through the interference of that House. He did not wish to interfere improperly with the right of the fundholder, but he contended, that the landholder was as much entitled to protection against ruin and beggary, as the fundholder could be. But, he repeated, that the only protection, the only effectual relief to be afforded to either, must be by means of a reduction of taxation, not only directly but indirectly. Many gentlemen imagined that they would directly derive great advantages from a reduction of certain taxes, while they overlooked the much greater advantages to be derived indirectly from a reduction of others. One gentleman might say, "Oh, I shall save 30*l.* by a reduction of the window tax, whereas my housekeeper tells me, that a reduction of the salt tax would not make a difference of more than 5*l.* or 10*l.* a year." Whereas, in point of fact, the salt tax, if reduced, would make, directly and indirectly, a saving of from 600*l.* to 800*l.* to that individual. He hoped ministers would see the necessity of repealing the taxes upon leather, tallow, and beer, particularly the latter. He was convinced that the repeal of those taxes which pressed upon the labouring classes would be more beneficial to the landed interest than any other measure of reduction. Bad as he conceived the existing corn law to be in principle, yet he would not consent to change it, unless he saw that it would be succeeded by one of a sounder principle; which he did not think would be the case.

Mr. *Wodehouse* said, he gave the hon. member for Bridgenorth credit for the motives which had induced him to bring forward the present motion, although he felt himself compelled to differ from most of the arguments which the hon. member had used. The difference of opinion which seemed to prevail with respect to the cause of the agricultural distress was very remarkable. A few days ago they were told that the distress arose from a surfeit; they were now told, that they were threatened with starvation; so that, unless something extraordinary was done, he feared the country ran a great risk of dying of the doctor. The hon. member might suppose, that because he opposed this motion he had a hankering after the corn laws, and the high prices which it was once supposed they would insure. He neither thought that a return to those prices was practicable, or desirable. In a conversation he had formerly had with the present president of the board of trade, who had said he would give the farmers an average of 64*s.* a quarter for the next ten years, he (Mr. W.) had said, "make that clear to us, and we shall have no ground of complaint." This bargain he was willing to renew now, and to give the right hon. gentleman last Monday's market to start with. The hon. mover had argued, that, in an importing country, the fluctuations of price would be inconsiderable; but it was to be remarked, that the years from 1792 to 1805, which had been great importing years, had been years of the greatest fluctuation. The fluctuations, which it was impossible to avoid perceiving during the war, were, indeed, attributed to the Berlin and Milan decrees; but these decrees did not come into operation before 1807. At all times had there been great fluctuations in the price of corn; long before the present corn laws existed. The Eton Register showed remarkable instances of these fluctuations: for example: In 1597, wheat was 3*l.* 9*s.* 6*d.* a quarter; in 1602, it was 1*l.* 9*s.* 4*d.*; in 1648, it was 4*l.* 5*s.*; in 1654, it was 1*l.* 6*s.*; in 1706, 1*l.* 6*s.*; in 1709, it was 3*l.* 18*s.* 6*d.* He (Mr. W.) had been much misrepresented, as having disparaged the talents of the right hon. gentleman (Mr. Huskisson), the author of the report of 1821; but, he had voted against that report on account of its silence as to the peculiar burthens that pressed upon agriculture, and the superficial view which was taken of the currency question; of the effects of which he formed perhaps an exaggerated estimate.—The hon. member proceeded to argue, that any calculations as to the price at which corn could be imported must be fallacious, and that the hon. mover had estimated it much too high. Mr. Claude Scott, in his evidence before the committee in 1814, had stated, that previously to the war, great quantities of corn were accumulating for exportation in Flanders and the Baltic, and that the price was governed by the demand. He stated also, that in 1789, he had purchased large quantities abroad for the government, to be delivered here at 40*s.* a quarter. According to Mr. Solly's evidence indeed, on the average of 49 years, from 1770 to 1819, the price of wheat at Dantzic had been 45*s.* The natural average Mr. Solly considered to be 35*s.*, and that the demand in England would raise it to 50*s.*, and that at that price only 700,000 quarters could be produced for exportation. In the opinion even of the hon. member for Portarlington, all their calculations must be fallacious; as the effect of price upon quantity would depend upon a variety of circumstances. He should certainly vote against the motion.

Mr. *Huskisson* said, that if he had not been so pointedly alluded to, he should not have interposed to prevent the conclusion of the debate, which the House seemed anxious to arrive at. He had never complained of any remarks upon the report of 1821, or of any remarks upon what he himself had said; but he had deemed it improper, and contrary to usage, that a report which should be deemed the opinion of the committee collectively, had been ascribed to himself, an individual member of it. Many alterations had, indeed, been made in that report; not only not by him, but in opposition to his opinion. He would not attempt to follow the very desultory discussion which had taken place since the speech of the hon. mover. It was impossible for him to enter into all the details respecting the different modes of farming in use, the relative merits and demerits of land, and the remission of taxation. He would, however, express his satisfaction at the fact, that the country could, consistently with public credit, make a considerable remission of the burdens which weighed upon the people. The hon. member for Cumberland, when he attempted to show the relief that would be afforded to agriculture by the remission of two particular taxes, was not borne out by his own calculations. The hon. member had said, that every poor family consumed annually forty pounds of candles, the tax upon which amounted to 10*s.* He had looked at the tax upon candles, and he found that it amounted to 1*d.* per pound. Now, how a duty of a penny per pound could amount to 10*s.* upon forty pounds of candles, he could not perceive. The tax upon candles was not considerable; and it had not been increased since the reign of William 3rd. The hon. member had not been more fortunate in his selection of another tax, the remission of which, he said, would be highly beneficial to persons engaged in agriculture; namely, the window tax on houses of a certain description. The labourer in agriculture, unless his house had more than six windows, paid no tax at all; besides, the tax depended upon the house itself being rated to the extent of 5*l.* a year. He was not aware that any labourers in England paid house tax to that amount. He could not admit that the agricultural interest had any right to claim protection against the importation of corn, on the ground of general taxation. He would allow, that all taxes which affected agriculture only, ought to be repealed, if possible; but the hon. member for Wiltshire had alluded to taxes which pressed upon the artisan and manufacturer, equally with the farmer. He considered the discussion upon a subject which involved the best interests of the nation, as extremely important; but he did not think the present a fit time for making any alteration in the existing corn laws. In the first place, any important alteration in the corn laws could not be made with a partial and limited discussion and a temporary investigation; for, in the present state of the agriculturists, which, he was sorry to say, was the reverse of what he could wish it to be, no alteration could now be made, which could accommodate the various opinions of those who were interested. Few were agreed as to the particular remedy. There were not, he might almost say, any two surveyors of land who concurred in their opinion of its value, and of the relative situations upon which the present prices ought to place the landlord and tenant. If an accommodation of those varying opinions could take place, then an alteration founded upon it might be favourable. The committee which sat in 1821, had at least this effect—it had opened the eyes of the country to the mischiefs and difficulties of the system which had theretofore prevailed—it had shown, that monopoly was not at all times profit—that restriction did not, on all occasions, amount to protection—and that that which was nominally for the benefit of the landed interest, would not, in the alterations of prices in different years, be found to be consistent with their real advantage. It also appeared that, from the same causes, the having no restriction after the price was raised to 80*s*., might, in some cases, be found injurious. It was also shown, that the grower of corn in England was entitled to protection, in proportion to the difficulties of his cultivation, as compared with other countries; but that any thing beyond that would be found disadvantageous to the other branches of the community, if a great alteration took place in the prices in different years. Upon this view of the case, the report proceeded to suggest to parliament the propriety of a free trade, with only such restrictions as would protect the home grower, in proportion to the difficulties under which he cultivated. In this opinion the majority of the committee concurred: it also met with the sanction of his right hon. friend the chancellor of the exchequer, and that of a noble lord (Althorp), who took an active part in the committee of that and the succeeding year; but they also concurred in thinking, that, at that period of the year, it was too late to make any alteration. The next year a committee was appointed with the same objects as the former; and the result was, a recommendation to mitigate the principle of the bill of 1815, in the points to which he had adverted. But his right hon. friend and others thought, that the alteration ought not to be extended beyond the general feeling of the country at the time. At that time it seemed to be considered, that not only were the duties not too high, but not high enough. He felt, that a similar reason existed at the present day, for not carrying the alteration beyond the feelings of the interests concerned. At the same time, that he could not concur in the motion of his hon. friend, he felt obliged to him for the picture which he had drawn of the evils which might take place from the present system, by a great alteration in prices. He agreed that such might be the result of the present system, under particular circumstances; but he did not think there was any immediate fear of such circumstances. The remedy which should be applied, ought to be applied gradually, and according to the changes in the prices. He believed we had seen the worst of the low prices; for with the deterioration in cultivation (which he considered the most serious evil to the country), and the increase of consumption, he thought there was a fair prospect of that growth of prices, which would materially serve the agriculturists, without being a disadvantage to the other portions of the community. Under such circumstances, he put it to the hon. mover, whether the present was the exact time for such a measure as that which he had submitted. He thought a system of law which would continue the monopoly, would not be a permanent advantage to the agriculturists; but would considerably increase the burdens of the manufacturers. He would not go farther into the question at present. He thought the law as it now stood, as perfect as it could be made, consistently with the feelings of those interests which were concerned. We should wait for the re-action of one of the causes of the low prices; and then, by a modification of the law, we might have a regular and moderate importation, which would be the best regulator of prices that could be adopted. Fully impressed as he was with the justness of the principles of his hon. friend, he entreated him, for the present, to withdraw his motion.

Mr. *Ricardo* said, that the right hon. gentleman, in all the arguments which he had brought forward for postponing the consideration of the corn laws, had in reality given a reason for proceeding at once to amend them. What was the danger which his hon. friend, who brought forward the present motion, apprehended? It was the danger of those very high prices, to the recurrence of which the right hon. gentleman looked forward, as the conjuncture when the corn laws might be amended. He apprehended the danger of capital being again drawn, by the temptation of high prices, to the land (and the right hon. gentleman agreed that the danger existed)—that there would again be a succession of low prices, and another loss of capital. This evil it was the object of the present proposition to prevent; yet the right hon. gentleman would wait till the evil came upon them, before he would provide the remedy. As to the motion of his hon. friend, he would not oppose it; because he should be glad of any approach to a free trade in corn. But he thought his hon. friend did not go far enough; he had left the mischief of a fixed price. Both his hon. friend and the right hon. gentleman had laid down the true principles of a corn law; namely, that a protecting duty should be imposed on foreign corn, equal to the peculiar burthens borne by the grower of corn in this country. But, when this was done, a fixed price should be done away altogether. In fact his hon. friend had seemed a little uncertain as to his fixed price. He had taken it at 60*s.*; but he had stated, that if foreign corn could be imported at 55*s.*, he should have reduced it to that. He thought he had committed a great error in taking any fixed price at all. A duty should be imposed on corn imported, equal to the peculiar burthens borne by the grower of corn; and, in his opinion, a drawback or bounty to nearly the same amount should be allowed on corn exported. Then, and then only, would corn be kept at a price nearly equal in this, to what it was in other countries. If there was an abundant harvest, it would find a vent by means of the bounty; and, on the other hand, if there was a deficient supply, under the influence of the duty, corn would be introduced as it was wanted, and not in the enormous quantities poured in under the existing law, when the price rose to a certain height. The right hon. gentleman had objected to the proposition, because of the agitation it would create out of doors. But his hon. friend's proposition did not interfere with the present law, until the price of corn was as high as 80*s.* In this, also, he differed from his hon. friend; because, before corn was so high, that encouragement might be given to extensive cultivation, which it was his object to avert. He (Mr. R.) should recommend, that the law for the amendment of the corn laws should come into operation long before corn had reached 80*s.*; and he should then recommend a system of duties and bounties, at first in deference to those prejudices of which he thought they were too tender, higher than the amount of the peculiar burthens of the agriculturists, and gradually diminishing to an equality with the computed amount of those burthens. He could not in any way agree with his hon. friend, the member for Cumberland, nor with the hon. member for Wiltshire, who had entered into some strange calculations, to show that the agriculturist paid taxes to the amount of 67 per cent. But, on what did the hon. member reckon this per centage? Not on the expense of growing corn, but on the rent. This was a most unwarranted mode of calculation. They had it in evidence before the agricultural committee, that there was some land in England which did not pay above 2*s.* an acre rent; yet, no doubt, as the cultivation of that land was heavy, there were in truth taxes on the producer which did not affect the landlord, and taxes on the landlord which did not affect the producer. If a tax was imposed directly on the production of corn, the grower would remunerate himself, not by a deduction from the landlord's rent, but by getting more from the consumer. And as to general taxes, they pressed alike on all classes; on the labourer who worked at the loom, as well as on the labourer who worked at the plough. He hoped his hon. friend would not withdraw his motion. The greatest good would be done by bringing the question before the House. His hon. friend's speech abounded in excellent principles, which could not fail of producing an effect upon gentlemen in that House, and removing the delusion which prevailed out of doors. He therefore urged his hon. friend to take the sense of the House on this most important question. The object of the approach to a free trade, which he recommended, was to keep prices steady and low. He did not mean such low prices as would not remunerate the grower; for when the manufacturer eat his bread at all cheaper than the price at which the farmer could be remunerated, the greatest injury was done to the general interests of the country.

Mr. *Attwood* remarked on some of the arguments which had been adduced by the hon. member for Bridgenorth, and by the right honourable President of the Board of Trade. The former, he said, had rested his motion mainly on the erroneous and frequently refuted opinion, that the great fluctuations in the prices of grain, which had taken place within the last thirty years, and which had produced so much evil, had been principally occasioned by the state of the corn laws, and by the difficulties and expense which had, during the war, been opposed to the importation of foreign grain. His views on this head he had explained, by stating a suppositious case, referring to another country, and by asking what the state of things would be in Holland, if a system of corn laws, such as ours, should be established there, and should prevent the importation of foreign grain into that country, depending greatly, as was well known, on such grain for its supply? And this question he had answered, by saying, that such a system would force that country to use great exertions in providing its own supplies; would cause a great diversion of capital to agriculture, a forced cultivation, by which grain would be grown on soils unfitted for its production, from whence it could only be obtained at a high cost; that from all this would arise a state of high prices; and afterwards, when the market should be supplied, an over supply would follow, and a fall of prices as great as had been the advance. Now, if the hon. member meant to maintain, as it appeared he did, that by causes such as these, a rate of prices for agricultural produce could be established in Holland, or in any other country, similar to the prices which had been established in this country during the late war, or approaching to them, either in their degree or their continuance; if he believed that, by such causes, a price of 80*s.* a quarter could be established for wheat, and be continued for any considerable period; in that he was entirely mistaken. By such causes as these, a nation so situated, might be exposed to great difficulties—might be made to suffer great distress, and to be involved in great calamities; but, from no such causes could a nation be made to pay, or be enabled to pay long, such a price as 80*s.* for a quarter of wheat. High prices for agricultural produce, arising out of scarce supplies, must be always accompanied with national distress; they could not be long endured: they might, if the scarcity were sufficiently great, inflict the most appalling calamities on a people, but they could never be, for any considerable period, established. The high prices of this country had been accompanied with no distress; it was, on the contrary, the fall of prices, which had been destructive; and these circumstances afforded irresistible proof, that the high prices of this country had not their origin in scarcity of any kind, or by any means occasioned. They were, indeed, the prices, not of scarcity, but of plenty; not of dear corn, but of cheap money; and had been accompanied with great and general prosperity.—The right honourable President of the Board of Trade had taken a somewhat juster view of this part of the subject. He had referred to the prospect which existed of an advance of prices at present taking place in this country; and had treated such prospect as an evil to be dreaded; and in that view of the subject, he (Mr. A.) perfectly concurred with him. High prices, under their present system of currency, could never again take place, except from scarcity; and they must of necessity bring with them great sufferings and dangers. If they wished for evidence of what the effects of high prices, if they again should take place, would be, they had only to refer to what their effects had formerly been, when their currency was on a footing similar to that of their present money. The year 1795 had been, for example, a year of high prices, and they had then, as now, a metal money. It was also a year of great scarcity; and a reference to what then took place, would greatly elucidate the causes of those changes which they had since witnessed. The scarcity of that year approached to famine. A greater deficiency of food had probably not been experienced, either since that time, nor for a very considerable period before it. Mr. Burke, whose Essay on Scarcity was then written, had described particularly the deficiency of the harvest of 1795 as well as of 1794. The sufferings of the lower orders were so great and severe, that amongst the upper classes it was esteemed a duty, and was so taught by bishops from the pulpit, and by judges from the bench, to refrain from the use of bread corn. A committee of that House, appointed to consider of the high price of corn, and of the sufferings of the people in consequence of it, had recommended, that the members should each sign an agreement, to economise the use of wheat-flour bread in their own families. A great decrease of marriages, a great increase of burials, a great defalcation in the revenue; all attest at that time a condition of extreme calamity amongst the poor.—Now, when they turned from this state of difficulty and distress to that high price of corn which had occasioned it, they would find that price marked no higher (he took it from the tables of the bullion committee of 1810) than 74*s.* 2*d.* for the average of the year for England and Wales, and 66*s.* 3*d.* for the average of Scotland; and in the subsequent year, 1796, the price stood no higher than 77*s.* 1*d.* for England and Wales, and 76*s.* 8*d.* for Scotland. Those were the prices in metal money, in money such as was again established, of a scarcity approaching to a famine. Those who would turn to the details of our domestic history at that time, would find abundant reason to believe, that if that degree of scarcity and that rate of prices arising out of it, had continued for a few years, a great portion of the people must have been destroyed. And yet they found a few years afterwards, when the paper money of the Restriction act was completely established, that prices advanced during the scarcity of 1801 to 100*s.* for the average of Scotland, and to 118*s.* for the average of England and Wales; and those prices endured. And a few years after that, they found prices permanently established, of 80*s.* and 100*s.* and at length of 108*s.* for the average price of five successive years; and those prices occasioning no distress, accompanied with no complaints, calling for no measures for reducing the consumption of bread corn, and accompnied with a prosperous and progressively increasing revenue; and an universal prosperity, extending alike to all classes of the community. Let them compare the state of the country in 1795, and the evils which the right hon. President of the Board of Trade now anticipated from high prices, with the rate of prices, and with the condition of the country in 1818, when they had established their paper money a second time. The price of wheat in 1818 was 84*s.* a quarter for the average of the year; and so far was that price from producing distress, that no period could be found in which the condition was more universally prosperous, of all classes of the community, or in which the revenue had so greatly improved. These were the circumstances which distinguished the prices of the late war, and of the restriction money, from the prices of scarcity arising from whatever cause. Those who told them, that the prices of the war had been occasioned by corn laws, by the cost of importation, by the necessity of growing wheat on three descriptions of soil, when it could only be grown cheaply on one; and of the too expensive cultivation of that one, would, if their whimsical theories were adopted, have other difficulties to explain. If it were admitted that it was difficulty of production, which rendered it necessary to the farmer to obtain 80*s.* or 100*s.* for his wheat; it would then require to be explained from whence the labourer obtained that additional supply of money, which could alone enable him to pay for it. This would be found to be a difficulty as great as the former. There was, in truth, but one explanation which could account for this whole state of things. These prices were the prices of the cheap money of the Restriction act; which operated alike on all prices; which increased wages as well as the price of food; and which, whilst it gave high prices to the farmer, gave, at the same time, to the labourer, the means of supporting them. —He would refer to another subject which had been discussed in the course of the debate; and that was, the cost of grain abroad, and the expense of bringing it here. There appeared on most occasions, and he thought also on this, to exist a disposition amongst those who advocated a free trade in corn, to affix a higher than its just price to the price of corn abroad, and a higher cost of bringing it here than the real cost would be. Desirous of establishing a free corn trade, of assimilating the price of grain here to its price on the continent, they seemed desirous of concealing from themselves, the full extent of difficulty which must follow these measures, and what these prices were which they went to establish. He cautioned them against that error. The price of wheat in France differed now very little from what it had been for the last one or two centuries. It had differed but little from this rate during the whole of the late war; and from France wheat could be transported to Mark-lane, at an expense not exceeding that of bringing wheat from Yorkshire or Lincolnshire. It was singular to observe the statements which some of the witnesses before the agricultural committee of 1821 had given of the cost to which foreign grain was exposed on its importation. There was given, for instance, in the evidence of Mr. Tooke, a list of different heads of expense and cost to which the grain of Russia was exposed if sent to Mark-lane. But, of all these heads of expense, which altogether make a formidable appearance; of commission, and granary expenses; and insurance, and various other articles, it would, on examination, be found, that there was scarcely one, to which the British farmer when he sent his wheat to Mark-lane was not subjected equally with the foreigner. Most of those heads of cost, in the list to which he referred, bore full as heavily on British as on foreign corn; and, indeed, with the single exception of freight, in which there was a difference in favour of British grain of perhaps 1*s.* or 2*s.* or 3*s.* a quarter, he believed in all other respects, those expenses thus enumerated, were common both to British and foreign grain; and he mentioned this as an evidence of the activity, the blind activity he would call it, with which those who advocated the introduction of foreign grain supported their object; and the supineness of those, on the other hand, who desired to maintain, in their own markets, a preference for the productions of their own agriculture. Convinced as he was, that the measure before the House was founded altogether on mistaken views of the subject, he should vote against it.

Mr. *Monck* declared his intention of voting in favour of the present motion, because he agreed with almost all the principles which the hon. mover had stated to the House. The only mode of relief which he thought feasible was to diminish the expense of growing corn; and that could only be done by diminishing the pressure of taxation.

Colonel *Wood* was of opinion, that nothing could unsettle the mind of the country more than the revival of a measure like the present, after the repeated discussion which the subject had undergone last session.

Mr. *Hume* declared his intention of supporting the motion, and of taking the sense of the House upon it.

Sir *T. Lethbridge* hoped the House would not adopt the proposition then before it, as it did not go far enough. He called upon ministers to give the agriculturists some support on this question, which they could not give more effectually than by putting a decided negative on the present motion.

Mr. *Whitmore* said, that after the declaration he had made, he would not press his motion upon the House; but if any hon. member should insist upon a division, he should certainly give his vote, as if he had taken the division upon it himself.

Mr. *S. Wortley* thought that the proposed bill did not go far enough. He was convinced that there was no safety for the agriculturist, unless the ports were kept constantly open, with a regulating duty. Though he would not pledge himself to support all the details of the present bill when introduced, he would admit, that many parts of it appeared to him deserving of consideration.

Mr. *Leycester* said, he was not for high, but for low prices; but, before a reduction of prices could be made, the cost of production must be diminished; and that diminution could not take place, without a great diminution of taxation.

The House then divided:—Ayes, 25; Noes, 78. Majority against the motion, 53.

List of the Minority.

Baillie, J.
Cranborne, lord
Chamberlayne, W.
Craddock, col.
Evans, W.
Farrand, R.
Fergusson, sir R.
Fitzgerald, M.
Gladstone, J.
Handley, H.
Hobhouse, J. C.
James, W.
Jones, J.
Jervoise, G. P.
Knatchbull, sir E.
Monck, J. B.
Ricardo, D.
Rumbold, C. E.
Rice, T. S.
Wood, col.
Wemyss, captain
Wilberforce, W.
Wood, alderman
Wortley, S.
Wyvill, M.

TELLERS.

Whitmore, W.
Hume, J.

HOUSE OF COMMONS.

Thursday, February 27.

RAMSGATE HARBOUR.]—Mr. *Manning*, on moving for a Return of the Balances in the hands of the Trustees of Ramsgate Harbour, said, he wished to contradict a very unfounded report which had gone forth, that an hon. baronet (sir W. Curtis) held balances to a large amount in his hands. It was not true that his hon. friend had acted as treasurer; and he was so far from ever having held any of the money of the trustees in his hands, that he had himself advanced a considerable sum towards the expenses of the harbour.

Mr. *Wallace* bore testimony to the honourable character of the worthy baronet in question, and expressed his conviction, that there was not the slightest ground for any imputation upon it.

The motion was agreed to.

AGRICULTURAL DISTRESS — PETITION FROM HEREFORD.]—Mr. *Price* presented a petition, signed by 700 landowners of the county of Hereford, complaining of Agricultural Distress, and praying for relief. This petition was, he said, no other than the Norfolk petition, transplanted to the county of Hereford. He regretted that such doctrines as had been advanced in that petition had received even the apparent sanction of so many respectable names; but he was satisfied that the number of names affixed to the petition was not so much to be considered as an evidence of the prevalence of those doctrines, as of the great distress which prevailed in the district of the petitioners. For his own part, he trusted that parliament would persevere in refusing to adopt any measure, inconsistent with those principles of good faith and substantial justice which had hitherto been acted upon. On the other hand, he felt that ministers ought to convince the country of their disposition to alleviate the sufferings of the people, by carrying the strictest economy into every branch of the public expenditure.

Lord *Folkestone* considered it rather rash conduct in a county member, to pronounce such an unqualified judgment on the opinions of his constituents. The petition was signed by 700 respectable freeholders of the county. The very fact of their having affixed their signatures to the petition was a striking proof of their having deliberated on its allegations. The petition of the county of Norfolk and the present petition also had been much censured; but, as yet, he had not heard a single word in refutation of the arguments contained in either.

Ordered to lie on the table.

MR. BOWRING'S IMPRISONMENT IN FRANCE.]—Lord *A. Hamilton* rose to call the attention of the House to a case of extreme injustice and oppression which had been committed on the person of an Englishman in a foreign land. When the House should learn, that the person upon whom this wrong had been done was under the protection of this government, and that he was duly furnished with passports, he was sure that gentlemen would at least listen with interest to the statement he had to make. He did not stand there to arraign the government of any country; but he would say, that under the sanction of that of France, injustice, oppression, and tyranny had been exercised upon a British subject. Although he was prepared to admit, that all which had been done by the government of England had been rightly done, still he could not agree, that they might not have done something more. He would state what Mr. Bowring had suffered, the means he had taken to obtain redress, what redress he had obtained, and he thought the House would concur with him in the propriety of having the case fairly before the House, from the documents which had passed in the course of this business. He apprehended there would be the less objection to this, because those documents were now in the office of the secretary of state. Mr. Bowring, with whom he had no acquaintance whatever, having had occasion to visit France and Italy, on commercial affairs, was on his return to England. He had procured passports in Paris with some trifling difficulty. He then proceeded to Calais, where his baggage was inspected at the customs, and he was then perfectly free to quit the country. Before the next day, however, he had been informed, that he must submit his papers to an inspection. He was taken before the mayor, and thence committed to prison. In answer to his inquiries into the nature of his alleged crime, he was told that a telegraphic despatch had been received, directing the examination of his papers. After remaining in prison at Calais two days, he was conveyed, in obedience to another telegraphic despatch, to Boulogne. Here again he was refused the information as to the nature of his crime. He had not been long at Boulogne, before the inconvenience of his imprisonment was increased by severities which must be allowed to be quite unnecessary. He was confined *au secret*, and suffered to have no communication with any person. Besides being confined in a miserable loathsome prison, he had been deprived of the society of his friends; and, to add to the injustice of his treatment, denied the benefit of professional advice. This latter abominable proceeding was equally repugnant to common equity and common sense. Upon the plea that he was acquainted with the language, when he was led out to be interrogated, his request for legal advice and assistance was again refused. The hardships of Mr. Bowring's confinement had been ingeniously increased; for, although he had been sentenced to solitary confinement, the letter of the law had been departed from in this respect. He was put into a prison with culprits of the lowest description, who were confined for disgraceful crimes; and one of whom was in an access of delirium. It was incumbent upon the persons who had detained him to provide a better place for his confinement, particularly as he had not been guilty of any crime, which, by their own laws, exposed him to the punishment of imprisonment. Mr. Bowring then applied to sir Charles Stuart at Paris; and after this proceeding, the ministers of justice, as they were called, but whom he should call ministers of injustice, had devised other charges which should do that which the one communicated by the telegraph did not; namely, authorize Mr. Bowring's detention. If Mr. Bowring had suffered this inconvenience only in consequence of that tyranny which, by the French laws, was inflicted upon the subjects of France, he would have less reason to complain; but, if he had suffered it in consequence of chicanery, or a quibble which amounted to a fraud, it was the duty of the House to have the matter explained by the production of the documents in the office of the secretary of state. There could be no reasons of state against the production of those papers. He had asked, before he proposed to bring the subject under discussion, whether there was any thing in the time which would render its investigation inexpedient. At the end of eleven days the new charge against him had been manufactured, and Mr. Bowring learned that he was now accused of being engaged as an accomplice with others, in a plot against the French government. It was intended by the inventors, that this charge should have a retrospective effect. After several other examinations, at none of which he had been allowed a professional advocate, a letter was received at Boulogne, by which Mr. Bowring was summoned to go to Paris, but was at the same time informed that he could not be compelled to go. In the conclusion of the proceedings, a sentence had been transmitted, the words of which were, that Mr. Bowring was now at liberty, because the crime of which he was accused did not warrant his imprisonment at all. Would it be said after this, that Mr. Bowring had suffered no injustice? He knew he should be told, that all which had been done in this case, had been warranted by the French laws. If this were true at all, it was only technically true. That it was substantially false, was evident from the terms of the sentence, which disclaimed any right of imprisonment. He would not be understood to make any charge against the right hon. gentleman opposite, or to the office to which he belonged; but he sought for the production of the documents, that the House might be convinced, and, through it, the country, that Mr. Bowring had been unjustly treated. He had no wish to arraign the laws of any other country. He would be the last man to permit such an interference on the part of another nation with regard to this: but, what he complained of was, injustice and tyranny; which were inconsistent even with the laws of France. By having these documents published, one good at least would be effected: every Englishman would thenceforth know, when he crossed the channel and entered France, that he divested himself of his rights; that he gave up his freedom; that he might be taken up and committed to gaol on any suspicion whatsoever. That such was the case, the facts he had stated fully bore him out in asserting: for it was evident, that the greatest crime would not induce imprisonment half so effectually as mere suspicion. A man might be arrested for one crime, which did not warrant imprisonment; but being suspected of another, the French lawyers held, no matter how the fact stood with respect to his guilt or innocence, that he was equally liable to be detained. Again, he would impress on the House, that an Englishman had been arrested and confined without charge or accusation. Neither the individual, nor any one else, could extract from the French government, what the nature of the charge was; and none but verbal communications were made to him. Was it fit that such conduct should be pursued towards a person who had visited France on commercial business? If no other good were derived from the production of these papers, they would, at all events, show what Englishmen might expect in France, and enable them to express their detestation of so unjust a system. There was one other point, which, though not strictly connected with the subject, he felt to be of considerable importance. It might be retorted on this country, if government complained of the treatment this gentleman had received, "What is the law to which a foreigner is liable when he lands in England? With what propriety can you judge severely of the conduct which has been used towards Englishmen, when you every year pass an alien act, under which Frenchmen, Germans, or Italians, may not only be imprisoned, but transported to any spot which your vengeance or your caprice may select?" He was aware that this retort might be made. The process under the Alien act was, however, defined; and thus far it was less liable to complaint than the municipal laws of France. He brought forward this motion without the least hostility to the right hon. secretary; he had not the slightest wish to throw any imputation on him. His desire was, to do an act of justice to an individual, who, he conceived, had been much injured. The noble lord concluded by moving, for "A Copy of any Letter or Letters addressed to the right hon. George Canning, secretary of state for foreign affairs, by Mr. John Bowring, relative to his imprisonment in France; and also, Copy of any Letter or Letters addressed to Mr. John Bowring by Mr. Planta from the foreign office, with their Inclosures, if any, relative to the same subject."

Mr. Secretary *Canning* said, whatever might be the expediency of the motion of the noble lord, he was sure that he had neither the right nor the disposition to impute to him, that he brought it forward with any improper view, or that he had urged it with any improper feeling. For himself, looking to the way in which the noble lord had been pleased to allude to him, with reference to the part he had taken in this transaction, he had nothing to complain of; neither did he complain, that the question was now agitated; for he willingly admitted, that the noble lord might be of opinion, that there was something in it worthy of the serious consideration of parliament; but he meant to oppose the production of these papers, on the plain parliamentary principle, that the production of papers, for no necessary purpose, or with no definite view, was always inexpedient; that those who moved for documents were bound to show the reason for their production; and not that those who opposed the proposition, were called on to adduce arguments for their non-production. In following the noble lord, he would endeavour to put out of his way, any thing like individual allusion, by stating this case on the general principle, on which all such individual cases must stand. He presumed, that it was one of the first and most recognized principles of the law of nations, that an individual who entered voluntarily into a foreign country, at the same time entered into a temporary and qualified allegiance to the laws of that country; that he confined himself to their observance; that he submitted to their operation; and that, however unwise the system of law might be in itself, however harsh, however little congruous to his notions of civil liberty, or to his happier experience of the jurisprudence of the country to which he belonged, he had still no right to complain of the operation of those laws on himself, provided that operation was not partial, but was the same as it would be in the case of a natural-born subject of the state. When, therefore, he heard of the arrest of this gentleman (of whom, either with respect to his private habits, to his talents, or to his demeanor, in the little intercourse he had had with him, he meant to speak with the utmost respect), it appeared to him, that the part which the British government were bound to adopt towards him was, to take care that the laws, not of England, but of France, were applied to his case with perfect impartiality. Instructions were sent within three quarters of an hour after the affair was known, to his majesty's ambassador at Paris, directing him to take instant measures to inquire into all the circumstances of the case; and, if there were no cause to warrant an application to the government as to some special measure, to watch carefully over all the proceedings, and to see that the law was administered with the best legal information, with perfect impartiality, and with strict justice. He did not feel it right to ask, that Mr. Bowring's case should be separated from that of any other set of men in France, native or foreigners. He did not wish to see the writ of Habeas Corpus, or the trial by jury, introduced to the French territory, on account of Mr. Bowring; but he did think it proper, that, whatever was the practice in France towards an accused person, that practice should be strictly observed with respect to Mr. Bowring, and that any deviation from it might justify national interference; but it seemed to him to be a most indisputable position, that national interference could only begin, when individual injustice was perpetrated. He would not enter into a disquisition as to the causes of Mr. Bowring's arrest, but he would say, in passing, that the noble lord had made one mistake in his statement. He had said, truly, that when Mr. Bowring was released, it was with a declaration, that the crime of which he was accused did not incur the penalty of imprisonment. It was true that such a declaration was made; but the noble lord did not understand its bearing. This gentleman was, in the first place, arrested, as appeared from his own statement, and the counter-statement of the French government, as the bearer of sealed letters, as defrauding (he meant not to use the word in an invidious sense), as defrauding the post-office of France, by becoming the carrier of letters—a crime of no moral turpitude, a crime not *malum in se*, but *malum prohibitum*—an offence, however, which was a misdemeanor by the English law. With us, it was visited by a pecuniary fine, but in France, it was punished in a more summary manner. But, being detained as the carrier of letters, there grew out of those letters, or of others which arose in the course of that accusation, matter which occasioned a charge of a heavier crime—a crime that incurred the punishment of imprisonment. The result undoubtedly was, that on this latter crime, be it what it might, he was never brought to trial; and he was ultimately released. When he was released for the greater crime, he was not detained on account of the lesser; but was set at liberty, as the lesser crime did not incur the punishment of imprisonment. Mr. Bowring was not released because he had been unjustly imprisoned; but because the offence which incurred the punishment of imprisonment was not proceeded on, and the other offence had not that punishment attached to it by the French law. This materially altered the state of the case. Now, with respect to the statement of the French government on the one hand, and that of Mr. Bowring on the other, he (Mr. C.) had not thought it necessary to investigate those extreme statements for the purpose of forming an opinion. The single point to which he had to apply his mind, was not as to the guilt or innocence of the party, but whether the accused person was dealt with impartially, according to the laws of the country. He was sure it was unnecessary, after the opinion which the noble lord had so candidly given, for him to take credit for what he was about to state; namely, that during the whole of these transactions, if Mr. Bowring had been nearest to the British government in affection, and nearest to his own feelings individually, it would have been impossible to watch over the proceedings with more anxious vigilance. But, when those proceedings were brought to an end, and believing their close was precipitated by the interference of the British government—an interference which called on the French government not to let go, but to proceed or let go—the only course for the British government to pursue was to inquire whether any compensation was due to Mr. Bowring—to ascertain by the opinion, not of English lawyers, but of French lawyers, whether the entire proceedings were consonant with the usual course of French jurisprudence. Accordingly, he himself instructed sir Charles Stuart to lay before two of the first advocates of Paris, who were officially employed by government, and two other eminent advocates selected from the bar, and who were known to be politically hostile to the government, the whole proceedings in Mr. Bowring's case, and to ask whether, with respect to that individual, the ordinary course of the French law had been steadily observed? The answer of these gentlemen (concurring in their knowledge of the law, but differing in their political opinions) was, that in the proceedings towards Mr. Bowring, the usual practice of the French law had been scrupulously observed—that those proceedings were exactly the same as would have been adopted towards a French subject. It therefore appeared, that Mr. Bowring, being in the French territory, had nothing more to complain of than any Frenchman who was detained without trial might complain of. That gentleman, undoubtedly, was detained. To that inconvenience the accusation necessarily subjected him. If the accusation were wanton and malicious, the course would be to establish that fact by an individual proceeding; and in the progress of such proceeding (if the French law allowed it) Mr. Bowring was assured, that he should have the countenance and protection of the British government. If, however, the French law did not allow such a proceeding, then he came back to the position with which he had set out; namely, that if Mr. Bowring went to a country not so happy in its constitution, and not so just in its laws, as the state which he had left, he subjected himself to the jurisprudence of that country, and must abide by the consequences. He implored gentlemen, before they admitted the doubts which the noble lord had suggested to consider what would be the feeling of the British government, if in the case of a Frenchman taken up, not under the Alien act, but under the ordinary operation of the law, the French government chose to make it a matter of national interference. Suppose a Frenchman, just landed in this country, ignorant of the language and manners of the inhabitants, unfortunately got into some scuffle, was in consequence committed in September, was obliged to remain in prison until the assizes in March, and was then dismissed for want of evidence, would the English government bear that this should be made the cause of national interference; and would not the secretary of state, when applied to on the subject, appeal to the municipal law for his defence? Would he not say, that the Frenchman had fallen under the operation of the law, which was ordinarily administered? They must be content to take the good and evil of their institutions together. This country sent her inhabitants to every part of the known world; and, if Mr. Bowring called on this government to take up his case nationally, why should not the same principle be extended to all those who were wandering in Syria, in Turkey, in Egypt, or in any other part of the earth? Why might not those individuals claim the same sort of protection? Why should they not say that their invaluable institutions should be transplanted into every remote region, and that Englishmen should be tried by them, and not by the laws of the country under the government of which they were living? He was sure that such a favour should not be allowed to the subjects of any government. Having steered clear of any imputation on the individual who was the subject of this motion, he felt that he could not grant it, without countenancing a notion, that any British subject, wherever he chose to travel, and to whatever government he was pleased to subject himself, had a right to call on the strong and outstretched arm of his country, to rescue him from the law of a foreign state; or that there was something in Mr. Bowring's case which separated it from all others. As he was convinced that the first proposition was untenable, and as he felt that the second was not correct, he must, to avoid countenancing either of those principles, or giving his consent to a precedent so novel, object to the production of these papers.

Sir *R. Wilson* said, he believed the meanest native of any other country would not have been treated as Mr. Bowring, an English merchant, a gentleman of most amiable manners and excellent attainments, had been treated by the French government. He was not aware that it was a case which called for national interference. It was one, however, that ought to be generally known. This discussion would be most useful; because it would show that this country was determined to protect her subjects from the violation of law. It was not enough for a foreign government to say, "We violate the law in the persons of our own subjects, and have a right, therefore, to do the same with respect to yours." In such a case, it was necessary to appeal to the law of nations: it was proper that they should see that justice was not denied, or delayed so long as to become, in effect, a denial. The right hon. gentleman had said, "Are we to protect all the wandering travellers who leave this country? Are they to be always under the protection of the British government?" Undoubtedly, wherever this country had an ambassador, British subjects ought to be protected against despotic power. Because the vizier at Constantinople struck off the head of any person he pleased, or because he commanded women to be inclosed in sacks with wild cats, in order to make them confess where their husband's treasures were—because such was the custom there, were the subjects of this country not to be protected from such cruelty? Under the former government of France, it should be recollected, there were *lettres de cachet;* and, would it be endured that Englishmen, under such an instrument, should be imprisoned *au secret?* Looking to the existing law of France, there was evidently no security under it. The trials for the conspiracies of Saumur and Rochelle clearly proved the cruelty of the system which was adopted in the French courts. Such was the conduct of the attorney-general on those occasions, that it was said to be "only fit for the officer of a barbarian government." The hon. member then alluded to his own expulsion from the French territory, because he had written a letter, in which he stated, that sir Charles Stuart had said, that the British government would afford every assistance to Mr. Bowring; and also to the treatment which his hon. friend the member for Cork (Mr. Hutchinson) had received, because he comforted and protected an English gentleman; and concluded by calling on the House to bear in mind the declaration of one of the most strenuous defenders of the national honour that this country ever produced—

he meant Oliver Cromwell, who had thus expressed himself to a German prince—"If fair means and reasoning will not prevail, of necessity, but according to the customary law of nations, the severity of retaliation must take its course; which we trust in your prudence to avoid."

Mr. *Hutchinson* said, he should ever uphold the principle, that our government was bound to afford aid and protection to British subjects in foreign countries. In him it would be particularly ungrateful to say any thing against France or her government: from the one he had received the utmost hospitality, by the other he had been treated with the greatest kindness; and it was in that nation that he had formed some of the most agreeable and binding connexions which he had the happiness to boast of. Thus situated, he should be extremely sorry indeed if he could either be guilty himself, or support others who were guilty of plotting and intriguing against the government of a country, for which he had so sincere a respect and love: but the case before the House was that of an innocent and most persecuted individual, and he differed from the right hon. secretary in the inference which he would seem to draw, from the fact, that that individual had been tried by the French government for the minor offence only. Mr. Bowring had been persecuted by them. And why? Apparently, because he lived with some of the most enlightened, intelligent, and patriotic men in France. Really he was tempted to think that Mr. Bowring had been arrested by the government in question, in the hope that something would be discovered among his papers that might tend to implicate, not so much Mr. Bowring himself, as some of those distinguished characters with whom he had been acquainted. With respect to his own papers, all that was found in them was a mere private opinion, intended to be privately communicated, upon the character of the king of France. Why, then, the right hon. gentleman seemed to infer, that Mr. Bowring had been carried and confined *au secret*, because he had been guilty of some great crime against the French government, for which they, in their mercy, forsooth, forbore to prosecute him. Now, it would appear, that there was no such crime to try him for. The fact was, that there was no charge made; and yet he received no mercy from the French government. The supposition of the right hon. gentleman, that the government had forborne to prosecute, assuming that such a crime had been committed, reminded him of what occurred in the rebellion in Ireland, in 1798. A vast number of suspected persons were taken up, and, after being confined for long periods in prisons and dungeons, they were discharged without having ever had a charge preferred against them. Pending their imprisonment, himself and several other gentlemen made frequent applications on behalf of these unfortunate persons; but the answer of the agents of the government to such remonstrances and applications for the release of these individuals, whom it was not intended to try, was always "No; we have no evidence against them, but we have the strongest reasons for believing them guilty of the crimes imputed to them." Thus it was that notions of expediency in their case, superseded the law of the land. In Mr. Bowring's case, it was clear, from the terms of the order that was received by the police after his liberation, that the same kind of motive had caused his second confinement. This gentleman, moreover, was seized under cicumstances which, at the moment, appeared so discreditable to him, that there was hardly an Englishman then in France who could believe the rigorous measure adopted against him to be wholly undeserved. He was seized publicly, and conveyed under the order in question, *au secret*, in the most disgraceful manner, through streets crowded with people, and under a guard of soldiers. He could assure the House, that the system of confining suspected persons *au secret*, was infinitely worse than that of granting *lettres de cachet* under the old regime. He considered that the present would be a good opportunity for an endeavour, on the part of this government, to induce the government of France to change the criminal code, or rather the operation of their abominable police system, in these respects. The right hon. gentleman had called on his noble friend to show a case on the present question. In his opinion, a sufficient case existed in the papers on the table. With respect to Mr. Bowring, as he had told that gentleman, he (Mr. H.) should have been glad to have been in his place, and to have made the same impression on strangers by his talents and conduct. It was but common justice to that individual to say, that his conduct had been most exemplary, and that he had nobly maintained the character of his countrymen.

Mr. *Canning* said, he should be exceedingly sorry to be misunderstood. He had never stated that Mr. Bowring had been relieved from the larger offence by the mercy of the French government. He could never have stated that; because it would have been to imply what he most cautiously guarded against, namely, that Mr. Bowring was guilty of that offence. Now, he was bound, to that gentleman in common with all other accused persons, to believe him innocent until he was proved to be guilty, and certainly he was by no means disposed to adhere to that principle less in the case of Mr. Bowring than in any other one.

Lord *A. Hamilton* observed, that when he found it admitted, that an Englishman had been wrongfully arrested, imprisoned, and persecuted, and had been denied justice or redress, he could feel no regret at having brought his case under the notice of that House.

The question was put, and negatived.

HOUSE OF COMMONS.

Friday, February 28.

BEER AND ALE BILL.]—Mr. *Brougham*, in moving for leave to bring in a bill to regulate the retail trade in Beer, observed, that it was exactly the same bill as that which had passed through several stages in the last session. As soon as the bill should be brought in, it was his intention to move, that it be postponed until after the Easter recess, not merely on account of his being under the necessity of leaving town, but because the chancellor of the exchequer had intimated his intention of proposing a measure, tending towards the accomplishment of the same objects. He should have great satisfaction in seeing his measure taken up by so powerful a foster-parent; and though he could scarcely hope, that the right hon. gentleman's measure would go to the full extent of his own, yet, to whatever extent it might go, he was persuaded it would effect a great improvement in the present state of the law; that it would relieve the agriculturists, especially those who had light land, which was better adapted to the cultivation of barley than of wheat; and that it would tend greatly to increase the comfort, and advance the morals of the industrious classes of the community. He would add one word more upon that which followed as a necessary corollary from the principle upon which the bill was founded; he meant an alteration or modification of the duties on beer and malt. Such was the inequality with which those duties pressed upon the lower classes, that the poor man, who bought his beer of the common brewer, actually paid, in the shape of duties, more than twice as much as the rich man who brewed his own beer. At a time when the people of England might, for the honour of the country, be very soon called upon to make great sacrifices, it was peculiarly incumbent upon the government to omit no opportunity of conciliating and relieving the poor classes of the community. He concluded by moving "for leave to bringin a Bill to regulate the Retail Trade in Beer and Ale."

Mr. Alderman *Wood* regretted that the measure of the learned gentleman differed from that which he had proposed last year.

Mr. *Brougham* said, the bill was precisely the same as that which he had proposed last year. He was not bound to find memory for the worthy alderman; all he was bound to do, in introducing the bill, was to make what appeared to him to be sound and apposite observations, which he was sorry the worthy alderman had so entirely failed to understand.

The *Chancellor of the Exchequer* said, the reduction of taxation which had already been proposed, would be of considerable advantage to the poorer classes. The measure which he had to bring forward would be, he trusted, advantageous to all classes of the community, and to none more than to that class, whose interest was supposed to be most affected by this article. His object was, in short, that the best beer should be obtained at the lowest price.

REDUCTION OF TAXATION.]—Mr. *Maberly* rose to make the motion of which he had given notice. The subject, he said, was of the greatest importance to the country. The table of the House was literally groaning under the weight of the petitions complaining of excessive taxation, and praying for relief. If the measure which he had to propose were acted upon, it would relieve the people to the extent of seven millions of taxes, and, at the same time, enable every thing to be carried on in the way most conducive to the honour of the country. It would secure this if no exigency arose; and, if any exigency did arise, it would strengthen the resources by which that exigency was to be met. He would put nothing to the House till he had stated the principles of his plan; and he hoped, that the resolutions which he was about to submit to the House would not, in the present stage, be opposed. The object which he had in view was fourfold:—1. He proposed to reduce a large amount of taxation; 2. To give the most effectual support to the public credit; 3. To effect a conciliation between the agricultural and the funded interests; and 4. To form a sinking fund, which would, with little comparative expense, really lessen the amount of the debt. Our present sinking fund, which was so very inefficient for its purpose, had been formed by Mr. Pitt, under peculiar circumstances, and without due attention to the subject. In 1798, anxious to support the public credit, Mr. Pitt had recourse in the first place to an unconstitutional measure; that of making a part of the taxes perpetual, and he did this in order that by the sale of the land tax, he might redeem a large portion of the national debt. At that time the tax on land amounted to 2,000,000*l.* a year, and to this extent it was mortgaged. The terms were, that any proprietor of land, transferring as much 3 per cent stock, as would amount to 3*l.* 6*s.*, should redeem a tax on land, to the amount of 3*l.* a year. Any person whatever might at the same time redeem this by paying 3*l.* 12*s.* So that the purchase cost the actual proprietor one-tenth, and a stranger one-fifth of the annuity. He added some other inducements, such as that a purchaser to a certain extent should have a vote in the election of members of parliament. Between 1798 and 1802, seventeen millions had been redeemed; eight millions more had been redeemed from 1802 to 1822. The rate at which this redemption had gone on latterly was so slow that, in fact, it would take many centuries ere it produced the intended effect, while the annual expense was about 4,400*l.* He had taken the trouble to calculate the value of this annuity for the time during which it was computed to pay off the tax; and, would it be credited, that this would amount to many times the national debt? In this case, it would be better to make the annuity at once available for public purposes.—He would now go a little more into the detail of those plans of which he had stated the outline. He proposed that for every 100*l.* of 3 per cent stock transferred in the redemption of the land tax, there should be granted 3*l.* a year in value, giving to the owner of the land a priority of purchase. If at the termination of six months the owner should refuse to purchase, it should then be open to strangers to redeem, paying 4 per cent. In virtue of that tax on land, which they would hold in the shape of a fee farm rent, there should be superadded other advantages in the form of qualifications. Under the existing law, purchasers possessed the right of voting. He proposed also that the proprietor of the land should be empowered to repurchase from the stranger the said tax within five years, on payment to the latter a bonus of 5 per cent. That arrangement would hold out inducements to large bodies and public companies to make purchases. They would have other advantages, besides the certainty of no loss, and the chance of the bonus of 5 per cent. He should recommend the extension of qualifications, such as that of killing game, sitting as magistrates, and being enabled to qualify as members of parliament. All these advantages would strike purchasers as being very valuable, and make the redemption more saleable. It would not be advisable, in his opinion, to refuse such an application of the national resources, if government were thus enabled to obtain purchasers. If strangers could not be found disposed to purchase, it might be put up to auction in districts, at a reserved price. That provision would have the effect of making the sale produce its full value. It was his intention to have the purchasers paid at the Bank of England, in the same way as the dividends were; and that the transfers, signed by the receiver, should be numbered and registered, under the head of the county in which the purchase was made, with the name of the party purchasing affixed. By such a process every facility would be afforded to enable transfers to be made with the same regularity and dispatch as in the public securities. The qualifications which he before enumerated should, however, be limited, in the same way as the right of voting in proprietors of East India stock, to persons who continued purchasers for a certain time.—He should not trespass longer on the attention of the House by going into further detail. It was admitted, that the reluctance which had latterly operated against the redemption, arose from the high prices which made it almost unsaleable. It might be said, that by such a proposition he was disposed to take every thing from his majesty's government. That inference he must deny; as even on the chancellor of the exchequer's own admission, he had a surplus of 2,200,000*l.* It could, therefore, not be allowed to him to dispute his own concession. Besides, it did appear to him, that no fair opposition to his proposition could be founded on such grounds, when it was recollected, that the tax was imposed on the proprietor of land, for the purpose of a sinking fund, and therefore to that purpose it should be made available. The next consideration to which he should apply himself was, as to its effect on the public creditor. By the proposed arrangement, he contended, the public creditor could not be injured, but might be eventually served. The security of claims depended not so much on the ability to pay, as on the willingness to discharge them. The very feeling of relief that the measure he contemplated would afford the public, would naturally produce a greater disposition to sustain the remaining pressure. By its adoption, the public creditor would be released from all the mischiefs of that discussion which, though he deprecated it, was, he feared, fast approaching; and which had for its avowed object a diminution of the interest of the stockholder. Yet, though he felt the dishonour, he would say, the disgrace of such an attempt, he could not disguise from himself, that it proceeded from a very distressed body of men—a body that, in the year 1814, possessed a profit of 35 millions annually in the occupation of the soil, and who had since been reduced from affluence to the lowest state of wretchedness and beggary. He could feel no surprise at any application which that body made under such embittered feelings. And, though in that House it might be deemed sufficient to say, that, under such circumstances, no relief could be afforded, yet he should contend, that they were bound to grant every aid that it could be proved was practicable. He trusted that it would not be believed, that he called upon that House to interfere with the sinking fund, or that hon. members could fancy that they were bound by their pledge to a particular arrangement, when, in the measure he proposed, they had a sinking fund as it was originally intended, at the same time that it would give an immediate and efficient relief to the suffering classes of the community. Since he had the honour of a seat in that House, he had uniformly declared his confidence in the renovation of our resources. He had never indulged in gloomy views of our prospects, because he felt that our prosperity mainly rested on a population properly employed and increasing. From the concession of the chancellor of the exchequer, he was justified in assuming, that were the country, by his proposition, to obtain a repeal of seven millions of taxes, from the increase of consumption that would follow, the actual loss to the revenue would not exceed six millions. That would still leave to the right hon. gentleman one million above his estimate. Then the very operation of the proposed plan, by cancelling in seven years 41,330,000*l.*, would so materially advance the price of the public securities, as to enable the government to pay off the 4 per cent stock, by which an annual saving would accrue to the country of 750,000*l.* He did not at present propose any repeal of specific taxes; that would be a subject for the subsequent consideration of that House in its wisdom to adopt. What he complained of, in the proposition of the chancellor of the exchequer was, he merely took off a branch of taxation, and reduced only by a per centage. He kept up patronage, corruption, and all the expensive machinery. The plan now proposed destroyed these great and increasing evils, while it gave to the revenue the two items, viz. the 750,000*l.* by the reduction of the higher stock, and 200,000*l.*, if the repeal of the duties on beer and malt, according to the suggestion of his hon. friend, the member for Winchelsea, was acceded to. He was convinced that large reductions might be made in our establishments, to the amount of four millions. But taking into calculation all that the revenue might gain by existing impositions, he would ask the House to compare its amount with those increased resources, which a remission of taxes for seven years would yield. Left in the pockets of the people, it would work as capital; and at the end afford to the public necessities resources fitted to any exigency, far beyond what a sinking fund with compound interest could produce. The proposition he recommended was not novel. It was the acknowledged measure of Mr. Pitt, sanctioned by parliament; and he called upon that House, reflecting on the distresses of a great branch of the community, to lend their hand to its revival. By so doing, they would conciliate those gaeat interests, now unhappily at variance, namely, the landed and funded. The hon. member concluded with moving the first of the following resolutions:—

1. "That by the resolutions voted by this House in the year 1819, it was deemed expedient, that an efficient sinking fund should be created, to the amount of five millions.

2. "That at the time in question, it was agreed unanimously, that the only sinking fund which can be efficient, is that which is produced by a surplus of income over expenditure.

3. "That, as far as can be collected from the papers laid upon the table of the House, there actually exists a sum of about five millions applicable to the reduction of the national debt.

4. "That, in addition to these five millions, applicable to the reduction of the debt, there is, at the disposition of parliament, arising from the increased productiveness of several branches of revenue, and from the various plans of reform and economy in the administration of the country, proposed to be carried into execution this year, a sum of about 2,200,000*l.*

5. "That it appears, therefore, that a total sum of 7,200,000*l.*, arising from the above-mentioned sources, is applicable to the maintenance of public credit, and to the relief of agricultural or other distress, by remission of taxation.

6. "That, although it was determined that the capital stock purchased by the commissioners for the redemption of the national debt, with this efficient sinking fund, should be transferred to their account, it was nevertheless understood, that the interest payable upon stock so purchased, should either determine at the time of purchase, or be paid over and become part of the consolidated fund.

7. "That, taking 80*l.* as the price of 100*l.* in three per cent consol stock, it appears that five millions of money, annually laid out during the space of seven years, would redeem about 43,750,000*l.* of three per cent annuities; but, should we remain at peace, it would redeem a much smaller sum.

8. "That in the year 1798, for the support of public credit, there was passed an act for the redemption and purchase of land tax; which act, from the exorbitant conditions attached to such redemption and purchase, has, in a great measure, failed in effecting the destined object.

9. "That notwithstanding the obstacles thus created, such has been the anxiety of the public to redeem their land, and purchase landed securities, that the sum redeemed and purchased amounts to 700,000*l.*, and upwards.

10. "That, if so large a proportion of the land tax has been redeemed and purchased, at a sacrifice, in the first instance, of 10*l.*, and in the second of 20*l.* per cent; it is but reasonable to conclude, that the remaining balance of 1,239,701*l.*, would be similarly redeemed and purchased, if no sacrifice was necessary.

11. "That it appears, that 1,239,701*l.* of land tax thus redeemed and purchased, and paid for in three per cent consolidated annuities, would cancel a sum in such annuities of about 41,330,000*l.*, being more than the amount that would be purchased by the regular investment of the sinking fund in stock, for the space of seven years, if we remain at peace.

12. "That it appears that this method of reducing debt by no means differs in its substance from that which was adopted by the House in the resolutions of 1819, the essential attributes of both plans being the maintenance of public credit, by the diminution of the quantity of debt.

13. "That, as the mode of redeeming the national debt, by redemption and purchase of land tax, injures no class of proprietors, and will absorb a quantity of debt, nearly equal to that which would be redeemed by an efficient sinking fund of five millions, annually laid out during seven years, it is expedient to substitute it for the sinking fund, adopted in the resolutions of the House in 1819.

14. "That by this substitution there may be remitted to the people, in alleviation of their distress, seven millions of taxes."

The *Chancellor of the Exchequer* commenced with stating, that from the line of argument taken by the hon. member, it would not be necessary for him to trespass at any considerable length on the attention of the committee. The hon. member had himself conceded the very points on which he should feel it his duty to oppose the hon. member's proposition, The very first resolution, upon which the others were founded, declared, that by the vote of parliament, an efficient sinking fund of 5,000,000*l.* was necessary. Now, if he should be enabled to show, that the proposition of the hon. member was subversive of the basis of his resolutions, in that case it would be admitted, that he had shown, that his other resolutions were untenable. The maintenance of an efficient sinking fund of five millions was the substratum, and all the succeeding resolutions down to the 12th, referring to the main principle, proceeded upon that acknowledgment. What did the 12th resolution propose? "That it appears that this method of reducing debt by no means differs in its substance from that which was adopted by the House in the resolutions of 1819, the essential attributes of both plans being the maintenance of public credit, by the diminution of the quantity of public debt." The hon. member in that resolution took for granted, that his proposition was a substitute for a sinking fund. If, therefore, he could show, that in this assumption the hon. member was not only incorrect, but that it was directly the reverse of that which he affirmed of it; then it would follow as a necessary consequence, that as a substitute, his plan was altogether impracticable. And here he must be allowed to ask, if the hon. member proposed his measure as a substitute for another, on what grounds he did, on a former occasion, deny the existence of that which he now admitted by the proposal of a substitute? The truth was, that instead of being a substitute, the two measures bore no resemblance. He apprehended, that the very essential attribute of a sinking fund was, that its operation, while it diminished debt, was unaccompanied with any loss of revenue. The interest accruing from the debt so redeemed was left at the option of parliament, to be applied either to a further diminution of debt, to the public exigencies that might arise, or to the repeal of taxation. But, in the plan of the hon. member there was no choice left; because, while it reduced a corresponding amount of the public debt, it also extinguished a portion of the revenue. If, therefore, it was, as the hon. member admitted as his substratum, expedient to preserve an efficient sinking fund—and if, as he (the chancellor of the exchequer) contended it was, the essential attribute of a sinking fund not to extinguish, by its operation, revenue, then it followed, either that the hon. gentleman must give up the basis of his resolutions, or his substitute. He was surprised that the intelligent mind of the hon. member could not see through the fallacy that pervaded the whole of his assumption. He should say also, that the proposition of the hon. member, while it operated as to the extinction of revenue, would not be in all cases a redemption of the land tax. Suppose the case of a person holding a life estate with a land tax unredeemed; that he, either by the transference of stock, or by borrowing the sum of 200*l.* became a purchaser under the plan of the hon. member. Now, though the tax would be redeemed as between the estate and the individual, it would not be redeemed to the heir of the land; he would have to pay it to the representatives of the life estate holder. It was a perfect misnomer to call such a measure a redemption of the land tax. Another essential attribute, to use the terms of the hon. member, of a sinking fund, was, that it carried with it certainty and permanency. The plan now proposed was diametrically the reverse of that. In seven years, the hon. member calculated, that his proposition would cancel 43,750,000*l.* But, at the end of the seven years, what became of the sinking fund? Where could they find its attributes of certainty and permanence? It was true, the hon. member looked forward to the resources which would follow a remission of taxes for seven years. Such an effect might follow; but was it that species of certainty on which the pledge of parliament was secured? The hon. gentleman, by adopting what he was pleased to call his substitute, would send them, at the end of seven years, fishing in the great ocean of revenue; but whether to catch a whale or a herring, he could not possibly ascertain. If, therefore, the proposition of the hon. member was, from the very nature of its operation, the reverse of his assumption, there was an end of the two concluding resolutions. But, even were the assumption well founded, he should have great doubts as to the propriety of its adoption.—The hon. member said his object was to give greater facilities to the operation of Mr. Pitt's act; and that the lethargy under which it laboured, was occasioned by the onerous conditions which were imposed on persons who wished to redeem this tax. He had also observed, that a much less quantity of the tax was now redeemed, than when Mr. Pitt first proposed the plan: but, when they considered the circumstances under which it was proposed, they could not be surprised that it did not go on so rapidly now, as it did at an antecedent period. The circumstances under which Mr. Pitt proposed it were diametrically the reverse of the circumstances which now prevailed. In the first place, this country was at that time engaged in a most expensive war; of which no one could foretel the probable termination. In consequence of that war, government was raising very large loans, on most ruinous terms; and Mr. Pitt's plan was brought forward, not as a plan for the relief of any particular class of persons; but, under the extraordinary depression of the funds, for the purpose of raising their value, that government might be enabled to borrow, with the greatest advantage, those various loans, which, whether that or any other measure were proposed, it was absolutely necessary the state should procure. The funds being at that period very low, and the value of land progressively improving, it was quite clear, that many persons would be ready to transfer their securities from the funds to the land. The funds were then at 48: they were now at 73, and the value of land of late years certainly had not increased. This accounted most clearly for the slow progress which the law had recently made. The hon. member seemed to think, that the real obstacles to the efficacy of this plan, were the restrictions which were connected with it; and he proposed that those restrictions should be entirely removed. Now, if they were done away with, and other regulations were introduced, for the purpose of giving the public additional advantages, the old act must be entirely lost. He did not lay much stress on that point; but other consequences, it appeared to him, would follow, from the hon. member's plan, which applied most essentially to the whole of the law as it now existed. Those who had at all attended to this subject, must be aware, that though, by the original act, the first option of redeeming the land tax was given to the proprietor of the land; yet, in order to induce him to come into terms, a very disagreeable alternative was suspended over his head. An individual, without knowing any thing of the party whose land tax was to be sold, a stranger from 'Change-alley, might purchase it; and thus he acquired a claim on a part of the estate as a creditor. Now, he could see no good reason for giving to this third person any additional advantages, as the hon. member proposed to do. In order to give this law effect, the land tax was made perpetual; whereas it had been before voted only from year to year. Having done this, if they said to the holder of an estate—"If you don't purchase the land tax, I have a third person ready, who will," it was compelling him to lease it, whether he would or not; which was a very great hardship. Mr. Pitt felt this great hardship; and how did he meet it? He said—"If a third person comes in, and buys it, instead of 10 per cent, he shall pay 20." The hon. member said, he would put the strange purchaser on the same footing. To render his plan efficacious, the hon. member said, if the proprietor refused to redeem the tax, then a third person might purchase it; but as it might be unpleasant to the owner, if the stranger were at once possessed of this lien on his estate in perpetuity, and might wish to oust him from it, if an opportunity occurred, in that case the hon. member proposed, that, on paying to the purchaser 5 per cent on the money he had deposited, within a certain period, the interest of the third party should cease and determine. But the hon. gentleman had said, that that third person, under his plan, would have many advantages which at present he did not possess: the hon. gentleman meant, for instance, to make him a magistrate. It seemed to be his wish to make the plan extremely palatable, not so much to the individuals who might pay the tax in question, as to certain large trading companies who might be likely to dabble in such a matter; and to some particular individuals, in truth, who might, as a speculation, be inclined, possibly, to buy up the land tax. These last persons, though they might be, perhaps, quite unconnected with a county, and possessed of not a single acre of land, were to be placed on the footing of magistrates of that county. Surely this would be a complete change of the principle upon which it had been usual to select county magistrates! He, for one, would be very unwilling to adopt it; were the hon. member's plan even likely to be more practicable and useful than he could deem it to be. Thinking, therefore, that the alterations which had been proposed to the House, were of a nature to render the act alluded to yet more objectionable than it was stated to have been at the time when it was originally passed; and that even if they were not so, that the projected plan would not be found effective for the purposes that had been contemplated by the measure for which it was to be substituted; and that therefore the very basis upon which the hon. gentleman had intended to found his proposition was taken away, he should move the previous question upon all the resolutions.

Captain *Maberly* said, he felt some difficulty in answering the objections which had been urged against the plan of his hon. relative, from the very nature of those objections. He had come down to the House expecting to hear something like argument against the practicability of carrying the measure into execution. The right hon. gentleman, however, had done little more than urge the danger of large monied companies dabbling in the land tax. Why, this was the very object Mr. Pitt had in view: his first idea was to make the land tax perpetual; he then allowed individuals, not proprietors, to purchase up the land tax, by paying 20 per cent by transferring from the funds, and 10 per cent if he were the proprietor. In this case the funded proprietor paid 20 per cent, for the privilege of converting his property from the funds into land. To this his hon. relative objected; and he coincided in the objection. He was desirous of placing the fundholder and the landholder on terms equally secure. He did not see how the argument of the chancellor of the exchequer could apply, that the annihilation of the debt would be the annihilation of income. If, at the end of 38 years the land tax would be redeemed by appropriating the sum of 1,200,000*l.* annually, at the end of 38 years there would be a loss of 1,200,000*l.* Now, by the plan of his hon. relative, the same amount would be redeemed in seven years. The right hon. gentleman had availed himself, with considerable address, of the last year's resolution respecting the sinking fund. But, he was mistaken when he said, that the plan of his hon. relative went to abolish the sinking fund entirely. On the contrary, it only meant to appropriate it for seven years; and, when the confusion and distress which existed, with regard to the taxes in question, between the landlord and tenant were considered, it would be no useless sacrifice of five millions a year for seven years, to purchase a lasting relief from such confusion and distress. His hon. relative did not wish to pledge the House to any thing more than the giving up five millions of taxes for seven years, and afterwards it remained with the House to do as it pleased. By his plan, a sinking fund would be created, perfectly secure from the rapacity of ministers; and, from the fate that had attended three successive sinking funds which ministers had laid hold of. It would put a stop to many of those expensive projects, which an obsequious parliament was always so apt to follow. By the proposed scheme, the sinking fund would be placed beyond their grasp, and secured from most of the disadvantages hitherto objected to it. For himself, he did not so much object to a sinking fund, as he did to its violability, and to the temptation which it held out to ministers, a temptation which they rarely had the firmness to resist. The plan of his hon. relative would increase the funds of the country, and give the government a greater weight with foreign states. It would show them, that we had resources at our command, and funds in our treasury, which would enable us to meet any of the exigencies that were likely to arise.

Mr. *Ricardo* thought that the plan which had been proposed by the hon. mover, could by no means be considered as a desirable substitute for the sinking fund. At the same time, it might possess those merits which should induce the House to adopt it. In the manner in which his hon. friend had proposed that plan, he certainly could not acquiesce; for he thought it would fail to accomplish the object which he conceived to be so desirable. It was, indeed, most desirable, that we should diminish the amount of our debt; and to effect that diminution, he did believe it might be available; but, in such case, it must be adopted in a different way from that in which the hon. gentleman had stated it. Its object was to purchase up a certain quantity of the land tax, by the transfer of a certain quantity of stock; and then it went on to propose, that other parties might purchase the tax, in case the proprietor of the land should not choose to do so. If this had been the extent of the plan—if it had gone simply to cancel an amount of stock—if it had left the purchaser no other right but that which a mortgagee possessed in his claim upon the land—if it had allowed the parties to claim of the landlord, without any intervention of the government or its officers, then he would say, that it was certainly calculated to accomplish the great object of diminishing the debt. But if, under this plan, there was to be a receiver-general to receive the amount of the proprietor, and to pay it into the Bank—if there was to be this sort of management and collection created—it would only be substituting one debt for another; and though there might thus be 42,000,000*l.* and upwards, of stock, cancelled, yet he should consider, that they were only creating a new stock in its place, and transferrable in the same manner. An objection had been raised by the chancellor of the exchequer, that did not seem to possess all the weight which that right hon. gentleman attached to it. He had said,—"Would it not be a great hardship to give to a stranger the right of demanding this tax of a land proprietor? Why, what would be the hardship? The landed proprietor, it was clear, must pay at all events; and was the receiver of the taxes so merciful a gentleman, that the House was to suppose he would exercise his official functions with much more kindness and humanity than the proprietor of the land tax would manifest? He (Mr. R.) very much regretted, that the land tax was not of that description, that it might be extended further; for if those taxes which were applicable to the reduction of the national debt could be so extended, it was quite clear that they might push that most desirable object still nearer to its accomplishment. So far he concurred with his hon. friend, and no further. He could by no means agree with him, that if the land proprietor should wish to purchase, he should have the right; but if he should decline that, then a stranger might purchase; and, failing both, that it should be sold by public auction. How such a purpose was to be accomplished by public auction, he really could not see. Certainly, the result of this plan could not, by any means, be called a sinking fund. It was totally unconnected with such a fund. But the right hon. gentleman might say, if he pleased, "Your plan is a very good one, and I will adopt it, in addition to my sinking fund." If the plan was a good one, as he (Mr. R.) undoubtedly considered it, upon the whole, to be, he thought it might be quite desirable on its own peculiar grounds; but not as a substitute for the sinking fund. With respect to the sinking fund, he had already very frequently said, that he should be willing to vote for a reduction of taxes to the amount of that sinking fund; but he could not consent to vote any larger reduction than was equivalent to its absolute amount. It was now universally agreed, that the definition of such a fund was the surplus of our income over our expenditure. That surplus, which the right hon. gentleman estimated at 7,000,000*l.*, he (Mr. R.), and the country in general he believed, took to be, in fact, no more than 5,000,000*l.* How had the right hon. gentleman got the item of 2,000,000*l.* which he made a part of that surplus? Was it to be obtained in any other way, than by taking it from the sinking fund itself, or borrowing it in the market? If it was borrowed in the market, it was only increasing, by so much, the debt. If it was taken from the sinking fund, it was by so much a diminution of the assumed surplus. Therefore, he (Mr. R.) could not vote for remitting taxes to the amount of 7,000,000*l.* He thought, indeed, that if due economy and retrenchment were observed in every department of our expenditure, it might be very possible to remit even 7,000,000*l.*, and thus add 2,000,000*l.* to the proposition of the chancellor of the exchequer. But he greatly feared the fact would not be so; and he must see another account brought in by the government, before he could consent to the remission of the additional 2,000,000*l.* Under the false notion with which ministers seemed to be impressed about their surplus of 7,000,000*l.*, it was much to be apprehended, that they would not prove a whit more economical than usual, were the House even to vote the remission of other 2,000,000*l.* They would say, "You only take away our surplus, and therefore there is no necessity for further economy." He hoped the House would pardon him, if he was tedious, but he desired once more to explain what he meant by an efficient sinking fund. An efficient sinking fund, in the opinion of many gentlemen who sat near him, could not exist at the same period that we were increasing our debt. In that position he did not coincide. He thought, for instance, that when Mr. Pitt first established a sinking fund, and although, during a considerable portion of his subsequent life, the country was engaged in foreign wars, by the enormous expenses of which the debt was increased in a far greater proportion than the sinking fund paid it off; yet that, in effect, we then always had a sinking fund. Of every loan that was borrowed to meet those vast expenses, Mr. Pitt provided for the interest, and reserved a fund of one per cent for the extinction. Undoubtedly, an incredible weight was added to the debt by the protracted war that ensued; but, what would have been the situation of the country, had she sooner effected a peace? All those loans which had been borrowed in war time, would have been provided for, and there would have been left an efficient sinking fund. Had this system been adhered to during the whole progress of the war, he (Mr. R.) would have been the last man to raise his voice against the sinking fund. But, what was the fact? In 1813, the late chancellor of the exchequer came down to the House, took 8,000,000*l.* per annum away from the sinking fund, and in the same breath told them, that they were paying their debt, that the finances would be placed in the most flourishing condition; and in a short time after the peace, he told them, that they would be in possession of a greater treasure than any other nation of the earth could boast. It was at the very moment that he took away from the sinking fund 8,000,000*l.*, that the late chancellor of the exchequer had made all those splendid promises. But, unfortunately, this was not his only attack on that fund; nay, it was a trifling one, compared to those which he subsequently made upon it. The late chancellor of the exchequer, instead of providing for the annual interest of his loans, suffered compound interest to accrue upon them. Though there was placed, in the hands of commissioners, who most conscientiously and perfectly discharged their duties, a fund of 15,000,000*l.*, he said, "I have, by my expenditure, left you in a situation in which you have a deficiency of 15,000,000*l.* in your finances." Why, where, then, was the sinking fund? Would the chancellor of the exchequer have dared to come to that House, year after year, and have calmly spoken of a deficiency of between 12,000,000*l.* and 15,000,000*l.*, if he had not known all the while, that there was, in reserve, a fund of 15,000,000*l.* which he reckoned upon parliament's permitting him to apply to other purposes than those which it was originally intended to effect? Now he (Mr. R.) contended, that the sinking fund of this day would have the same fate as its predecessors. If it remained, it might go on well enough for a few years; but, should the right hon. gentleman opposite continue in power, he, or if not, then some future chancellor of the exchequer, after coming down to the House, and telling them how thriving a condition this sinking fund was in, would some day inform parliament, that a deficiency of some sort or other was discovered, or that some emergency had arisen, which rendered it necessary to appropriate the whole. The language of his majesty's ministers confirmed these anticipations in a great measure. If, however, they properly considered the matter, they ought to look upon this fund as already appropriated. It was a fund to pay off debt; and surely it was never to be considered as applicable to the expenses of a war; for if it was to pay debt, it could meet no other object. Let the House suppose the case of a private individual: suppose he had an income of 1,000*l.* a-year, and that he found it necessary to borrow 10,000*l.*, for which he agreed to give up to his creditor 500*l.* per annum. Let them suppose his steward to say to him, "If you will live on 400*l.* a year, and give up another 100*l.*, out of your income of 500*l.*, that will enable you, in a certain number of years, to get completely rid of your debt." The party listened to this good advice, lived on 400*l.* a-year, and gave up annually 600*l.* to his steward, in order to pay his creditor. The first year, let it be assumed, that the steward paid the creditor 100*l.* Then the debt would be 9,900*l.*; and therefore the income due to the creditor would be only 495*l.* But the party continuing to pay to his steward 600*l.* per annum, in the next year the steward paid over 105*l.*; and so from year to year the debt was diminished, 600*l.* being still received by the steward. At the end of a certain number of years, the result was this:—That out of a yearly reserve of 600*l.*, half the debt was paid off: only 250*l.* was due to the creditor, and 350*l.* remained in the hands of the steward; his master continuing to live on 400*l.* per annum. At this period, some object offering to the steward, which he thought might be beneficial to the gentleman, or to himself, he borrowed 7,000*l.*, and devoted the whole 350*l.* in his hands, to pay the interest on that sum. What, then, became of this gentleman's sinking fund? Originally he was in debt only 10,000*l.*; now, he found himself indebted, altogether, 12,000*l.*; so that instead of possessing a sinking fund, as he had hoped, he was positively so much more in debt. He considered that the whole mystery of our sinking fund was, in truth, just the same. He did believe, in his conscience, that the amount of the national debt would not have been near so large as it now was, if the sinking fund had been honourably adhered to. He did believe, that such a disastrous result would not have been the case, if Mr. Pitt had continued minister. No: he would have provided—as any other honest or efficient minister would have done—for debts as he contracted them. In time of war even we should have possessed a sinking fund. But, as he despaired of ever seeing such a system followed by any minister in that House—as he despaired of seeing a sinking fund strictly and inviolably sustained—he would give his hearty support to his hon. friend's motion, if he would make his proposed remission of taxes 5,000,000*l.*, instead of 7,000,000*l.* The latter amount seemed rather beyond the mark, and therefore he could not vote for it. With respect to the memorable plan of last year, he hoped the right hon. gentleman was not one of those who could support such an inexplicable mystery. He hoped that the right hon. gentleman would repel the charge of having contributed to such a delusion. If the right hon. gentleman really wished to repeal 2,000,000*l.* of taxes, let him say to the House that the ministers of the crown, wishing to do so, proposed to take them out of the sinking fund. The roundabout statements, and the machinery of acts of parliament, which in recent sessions had been resorted to, were unbecoming the station of the right hon. gentleman, and unworthy of the government of a great and powerful nation.

Mr. *Baring*, adverting to what had fallen from an hon. gentleman (Mr. W. Maberly) observed, that if that hon. gentleman had not been quite so young, or had passed more years in observation upon the real state of the finances of the country, he would not have lent himself to the support of what appeared to him the lightest bubble that was ever blown in it; as far as concerned the principle of substituting the redemption of the land tax for a sinking fund. As for the opinion of the hon. member for Portarlington, or any other gentleman, who thought a sinking fund a nuisance, and that it would be proper for the country to go on without it, that was another question. All gentlemen must be agreed, that upon the finances of a great country, as well as upon those of an individual who administered them with common prudence, there ought to be a surplus at the end of the year. This necessity was still greater with respect to a nation; for its finances must be liable to casualties to which those of individuals were not subject. He must say, that the plan which it was proposed to substitute in lieu of that proposed by the right hon. gentleman, seemed to have no foundation in common sense or prudence. A proposition to take away 7,000,000*l.* of perpetual income, and to compensate their loss by a perpetual income of 1,200,000*l.*, was one which required no details to prove its absurdity. The time had gone by when the finances of a country were to be managed by conjuring. It might have been so, indeed, in France, when an adventurer once proposed to undertake their management on such conditions, and the ignorance of the time was so gross as to credit him. If the hon. mover had proposed to get into a quart bottle, he should have thought him just as likely to succeed, as this plan was to accomplish its object. Any gentleman who merely looked at the figures, would see its fallacy; but two objections deserved particular notice. The plan, at the end of seven years, would leave them without any sinking fund at all; and the hon. gentleman had totally omitted from his calculation, the 1,200,000*l.* that he proposed to employ, which must of necessity be deficient on the income of the year itself. Clear it was, that upon the last year of the proposed term, there must be the 1,200,000*l.* deficient, which it was the hon. gentleman's proposition to appropriate. He could not imagine by what process of hocus pocus the hon. member could make 1,200,000*l.* amount to 7,000,000*l.* He would now make a few observations upon what had fallen from the hon. member for Portarlington, respecting the sinking fund. The subject was one of the greatest moment to the country. The question was, whether the country was to have a surplus or a bare revenue—whether any attempt was to be made during peace to decrease the debt which we had contracted in a time of war. He did not hesitate to declare, that upon the issue of that question, the destinies of the country materially depended. He could not help adverting to what he conceived to be a contradiction in the speech of his hon. friend. His hon. friend said, he was not opposed to the principle of Mr. Pitt's sinking fund; but he objected to the preservation of any surplus at all, because he was sure that somebody would take it away: he was afraid that some minister or other would take it away; and, therefore, he was resolved to take it away himself. This reminded him of a Frenchman in some play, who, upon being appealed to by a lady for his advice, as to the best mode of resisting the advances of her admirer, replied, that the best way of resisting temptation was to yield to it at once. His hon. friend said, with respect to the sinking fund, "there are ministers who will not retain it; there are country gentlemen who will not let them, if they were even willing; so I will surrender my predilections in its favour, and take it away myself." That was the amount of his hon. friend's argument. If the country could bear the maintenance of a sinking fund, he considered it a proper thing; but because he did not believe that ministers and the House possessed virtue enough to retain it, he wished the House to yield at once, without making an effort to resist temptation. He differed entirely from his hon. friend in the view which he took of that subject. Now that the management of the finances had been placed in the hands of a gentleman who appeared likely to possess the confidence of the House, and who had shown how eloquently he could explain the real situation of the country, he was convinced that the House and the country, when they were fully acquainted with the state of their affairs, would prove that they possessed that virtue and resolution for which his hon. friend would not give them credit. What would be the situation of this great country without any surplus? If the House were to adopt the project which had been submitted to it, the government might next year be compelled to make up its wants by loans; even supposing the revenue to continue at its present amount. The least extraordinary circumstance that might occur—for instance, a demonstration, not amounting to a positive declaration of war—would create some casual expense, to meet which the government would be obliged to have recourse to loans. He liked a sinking fund, because it might be made available in a manner in which his hon. friend thought it ought not to be employed; namely, to meet sudden emergencies. No doubt, the funding system was liable to many abuses; but its legitimate use was to enable the country to make loans for casual circumstances, which it might pay off at after periods. If a sinking fund of 5,000,000*l.* were maintained, government would be able to meet any exigencies, without burthening the people with fresh taxes; which he always considered it impolitic to impose, until it was ascertained that they would be permanently wanted. As a proof of the efficacy of a sinking fund, in supporting credit, he would refer to the experience of France, as a case in point. The government of that country, thinking itself called upon to make a military demonstration, had applied to the legislature for the sum of 100,000,000 francs, which was to be raised without the imposition of any tax, and the sinking fund would be employed with respect to it for its legitimate purpose. Here he might observe, that in his opinion, it was immaterial whether government borrowed from the sinking fund, upon the principle of Mr. Fox's clause, or whether the sinking fund was employed to diminish the debt which had been created by having recourse to loans. America, also, had her sinking fund; and by its operation she was making rapid strides in the reduction of the very considerable debt which had been incurred during the last war with England. The emperor of Russia had recently condescended, for the first time, to give a public statement of his financial system; from which it appeared, that a sinking fund of 30 million of roubles had been established in Russia; and he (Mr. B.) believed that it was fairly applied. Thus the House would perceive, that those powers of Europe with whom we might happen to come in conflict, were acting upon that system of finance of which some hon. gentlemen were desirous of depriving this country. If the views of those gentlemen were carried into effect, the country would be removed from that high situation in which it had always stood; it would be deprived of all power and influence, and would be placed in a state similar to that of the king of France, who, it was stated, was obliged to march into Spain, or else somebody else would march over him. The question before the House was not a question between the fundholder and the landholder. Indeed, he was of opinion, that the scheme of the hon. member, if carried into effect (supposing it to be practicable), would produce a rise in the funds. It was necessary that the House should take a general view of the situation of the country, and place its finances on the footing most conformable to its interests. He should like to know from the hon. member for Portarlington, how, in a case of emergency, the country could effectively act without a surplus revenue? What would be the situation of the country, when deprived of credit? It would resemble the situation in which France stood at the period of the restoration, or of that poor and unfortunate country, Spain, which was likely to fall under the oppression of the powers of Europe, absolutely for want of those resources which the possession of public credit would give her. The situation of a country whose credit was impaired, resembled that of an individual under similar circumstances, who was obliged to purchase commodities at a higher price by one-half than he would pay if his credit were good. At present every body was anxious to sell to the government, because it was considered the safest paymaster; but, once take away the sinking fund, and deteriorate the credit of government, and it would have to advance considerably upon its present rate of purchases. The hon. gentleman next adverted to the plan which the hon. member for Portarlington had suggested, for effecting an adjustment between the funds and other descriptions of property in the country. He was of opinion, that such an adjustment was altogether impracticable. The hon. member for Aberdeen had, on a former evening, produced some very curious financial statements, from which he had drawn the conclusion, that if the country had, during the war, had sufficient resolution to bear six millions of additional taxes, the debt might have been altogether avoided. He did not intend to enter into a minute argument upon the subject; but he thought the hon. member's project was altogether visionary. How could we possibly have started at once from a taxation of sixteen millions before the year 1790 to sixty millions, which was about the extreme taxation of the war, and then put on six millions additional, without a revolution of all the interests of the country? The hon. member stated what might be arithmetically true, but what was practically false. No doubt there was a great abuse of the funding system during the war; but as to the additional taxation, proposed by the one hon. member, and the adjustment of property suggested by the other, he must assert, that however specious in theory, or valid in abstract calculation, they were totally inapplicable to any practical object. He should vote against the resolutions.

Mr. *Tierney* commenced by observing, that he could assure his hon. friend who had just sat down, that he did not view the subject lightly, but attached as much weight and consideration to it as his hon. friend could possibly do. But, what was the real question? It was nothing else than whether five millions were to be taken from the taxes of the country or not. He believed such arguments had been offered to the House, as at least would incline it to consider whether a sinking fund of five millions ought to be supported, or a reduction of taxes to that amount. He could say, without fear of contradiction, that no one had been a more consistent friend to the plan of Mr. Pitt's sinking fund than himself; but he had often warned the House of the lavish expense of that minister, under which no plan of a sinking fund could be carried into beneficial effect. But, though he supported the original principle of the sinking fund, he did not think that the present situation of the country was such as to bear a sinking fund of five millions. That situation was such, that it required at least a remission of taxes to that amount. He had outlived the real sinking fund, for of that established by Mr. Pitt, not a trace was now remaining. It was truly said by his hon. friend behind him, that repeated invasions had been made on the original sinking fund. He (Mr. T.) had witnessed those invasions, and had opposed every one of them. But now the mask was thrown aside; for while the law declared that there was a sinking fund of 17 millions, the House was now called upon to declare, that there should be a sinking fund of but five millions. It was said on the opposite side, that the public credit depended on a sinking fund of five millions. But, if we adhered to the principle of public faith, we should have a sinking fund of 17 millions. This was established by law; but, in the year 1819, the ministers changed their plan; they procured a resolution of the House, stating that there should be a sinking fund of five millions, which should be binding upon the country; and whoever objected to it was considered an enemy to public credit. He (Mr. T.) understood public credit to be nothing else than a faithful adherence to public engagements. But the ministers asserted, that public credit meant, that we should maintain more than we wanted by five millions. Now, he wished to know, whether it was convenient to the country to have five millions of sinking fund under the present state of things; for they were not now to consider the state of the law, but the state of the country. He was convinced, that the country would receive more substantial benefit from the proposed remission of taxes for the next seven years, than from the support of the sinking fund. Now, the right hon. the chancellor of the exchequer seemed to be convinced of this truth, though he had not sufficient resolution to carry it into complete effect. He had seven millions to be applied to the reduction of the debt. How happened it, then, that the chancellor of the exchequer abandoned two millions of that surplus, by a remission of taxation? Why, because he had taken into consideration the distressed situation of the country, and found, that a remission of taxation was the most desirable thing that could be effected. The whole surplus of seven millions, however, was just as much the property of the fundholder as the five millions were. Far be it from him to blame the chancellor of the exchequer for having given two millions out of the seven millions back to the people. He thought the right hon. gentleman had acted wisely in doing so; but he wished the right hon. gentleman to admit, that those who were disposed to go farther might be actuated by as honourable motives as he was himself. They differed from him in degree; but the principle upon which they proceeded was precisely the same. He said, that the sinking fund ought not to be so much as five millions. The chancellor of the exchequer replied—"You are wrong; I must have a sinking fund of five millions; I will give up two millions of my surplus; but, dare to touch the remaining five, and I will hold you up to the country as an enemy of public credit." His hon. friend (Mr. Baring) appeared to stickle a great deal for a sinking fund; but in reality he meant nothing more than surplus revenue. His hon. friend said, that government could apply the surplus during peace to the reduction of the debt; but that, if a war should commence, they might take it altogether. Nobody doubted that a surplus of five millions was an excellent thing; he was of that opinion, and he even thought, that a surplus of ten millions was better. But then he came back to the old question—could the country afford to supply the exchequer with the surplus? He thought that it could not; and, therefore, that it was most desirable it should be abandoned altogether. He considered it to be most unwise in the House to pledge itself to support a specific fund, which it was allowed, could not be touched in a case of difficulty without an invasion of public credit. The present was the best time for getting rid of the sinking fund. The country was now in a state of peace. Circumstances might, perhaps, arise to disturb that tranquillity; and in that case, he might venture to say there would be no difficulty in deciding upon the proper measures to be taken; but, assuming that the country was at present in a state of peace, it could not be denied, that there was no time so favourable for a remission of taxation. How mischievous would it be if the House were, on Monday next, to pass a resolution, for the maintenance of the sinking fund, which government might afterwards, in the event of a war breaking out, seize upon, and apply to the purposes of the war! In such a case, if the arguments which had been addressed to the House were worth any thing, public credit would be destroyed: and surely no man would venture to say, that if the country were to enter into a war, ministers would not have recourse to the sinking fund. Conceiving, as he did, that public credit was to be maintained by honourably fulfilling public engagements, he could see nothing incompatible with the existence of public credit in abolishing the sinking fund. If the government wanted the means to carry on a war, he would not have them obtain their resources by seizing on the sinking fund. The most proper course would be, to apply to parliament for new taxes; and he was sure that, to support a war which came home to the feelings of every gentleman in that House, they would be voted; and he was also certain, that the country would, to the utmost of its power, cheerfully bear them. Much difficulty would be removed, if the five millions were called surplus, instead of sinking fund. It would then be in the power of any gentleman to propose a remission of taxation to that amount, without incurring the risk of having it imputed to him that he was an enemy of public credit. Let it not be thought, that the taking away of taxes would occasion a total loss to the revenue of their amount. He was of opinion, that the agricultural interests had obtained considerable relief from the remission of taxation which had already taken place, and that that remission had mainly contributed to raise the revenue to its present flourishing state. The chancellor of the exchequer must also be of the same opinion, or he never would have consented to give up two millions of his surplus. If the whole of the surplus were abandoned in like manner, he was confident, that before the expiration of two years, the revenue would be benefitted by the measure. The money would afford a greater interest, and be more advantageously employed, whilst in the possession of the people, than if it were handed over to a set of commissioners; and the surplus of revenue would soon be found to exceed five millions. The House ought to reflect upon the painful state of embarrassment in which some of the first families in the kingdom were plunged, in consequence of the dreadful expense of the late war. It ought not to be supposed, that he would consent to any measure which would have for its object to destroy public faith. On the contrary, he would struggle to the last to preserve it; but he did think, that some attempt should be made to preserve those whose existence depended upon landed property, many of whom had only a life interest in such property, perhaps burthened with mortgages and marriage portions for younger children. It was not for his interest to advocate the cause of persons whose property consisted of land; but he could not withhold his commiseration from a large and suffering class of the community. He believed his sympathy was shared by the House; and it was generally felt, particularly after the declaration of the chancellor of the exchequer, that the best mode of affording relief was by the remission of taxation. At last they had almost agreed upon that point; when out came the unhappy resolution, declaring that a sinking fund of 5,000,000*l.* was necessary. The plan which his hon. friend had brought forward, had been received almost with sneers from all sides. He thought, however, that the whole country was indebted to his hon. friend, for having brought it forward. Whether the plan was perfect in all its parts, was another question; but, if it did no good, it could do no harm. If purchases were made in the manner which his hon. friend suggested, there could be no doubt that the stock-market would be relieved to the extent of 41 millions. His hon. friend who spoke last had said, that to carry the plan into execution, would be to throw away 1,200,000*l.* of income. He could not admit the correctness of that statement. According to the proposed plan, if an individual were to transfer 100*l.* 3 per cents to the public, he would obtain an annuity of 3*l.*—So far, certainly, there was nothing gained. But, the advantage which would result from an extensive execution of the plan, would be to relieve the stock-market from its present state of depression. If that was thought an object of importance when Mr. Pitt originally brought forward the scheme, at which time the amount of the debt was, he believed, about 300 millions, of how much greater importance ought it to be now, when the debt amounted to 800 millions. If it were asked what advantage would accrue from this system, he would say, that it would give the stockholder an equivalent for that advantage of which it might deprive him. He did not mean to fight the battle against the landholder, but he thought that, in any arrangement which might be made, the fundholder should be favoured, where it could be done. But it was said, that one of the effects of this proposition would be to raise the price of the funds. It was immaterial to him whether it had that effect or not. If it were proposed merely to have that effect, he should deprecate it as much as any man. If there was any thing which he should implore of the chancellor of the exchequer, it would be to abstain from the paltry tricks to which resort had been had in other times, of endeavouring to raise the funds, and then coming down with a triumphant speech calling on the House to mark how the funds were getting up. Such tricks were unworthy of any liberal policy; and he would pawn his life, that they would never be resorted to by the right hon. gentleman. Amongst other objections to his hon. friend's proposition, it was urged, that it would be rather sharp upon the landed interest to assume, that this land tax was to be perpetual. This was not his hon. friend's fault. It was part of the original plan of redemption. It was seen by Mr. Pitt himself, but it did not weigh against the exigencies of the time. No doubt, the assumption of its perpetuity might seem hard; but if the landed interest did lend themselves to it, it would be a great benefit to the country, by a diminution of the public debt, and a relief to the market from a great weight of stock, which would be thus put into another shape. It was not for his hon. friend to contend for the wisdom of the measure, as it was first proposed; but, the principle being admitted, he wished to follow the steps of Mr. Pitt, and make it more effective for the general benefit. Mr. Pitt was disappointed in the result of the measure. The redemption extended only to 700,000*l.*, when he expected it would have reached 2,000,000*l.* If, however, better terms were now offered, no doubt the whole would be taken up. And it was this which was called a *hocus pocus!* So far from there being any delusion in it, he had no doubt it would be found a substantial benefit. It had been urged, with very little of sound reason, that if these five millions of sinking fund were once suspended, they could never be put on again; as if, after being relieved from it for seven years, the country would not cheerfully pay it again, in case of any emergency. It was absurd to suppose, that that would not be willingly done, when necessity called for the sacrifice. He was therefore desirous that the House should adopt the first part of his hon. friend's proposition, as a measure which would be found cheap and valuable. It might afterwards be modified as the House should see fit. He did not mean to go the length of saying, that the whole surplus of seven millions should go to the immediate reduction of taxes. He would still have a surplus, which would be a sufficient support to public credit, and effectually supply the place of that fund, which, from the way in which it had been hitherto managed, was a delusion on the public. The stockholder himself ought not to object to the appropriation of the sinking fund. He was bound to come forward and even participate in the sacrifice for the public good. He must know how the country was beset with difficulties; and he ought to be grateful for the manner in which his rights had been defended, under every privation, by the rest of the community. The right hon. gentleman concluded by again expressing his conviction, that this measure would be more effectual, by the diminution of taxes, for the benefit of the country, than any other which could be devised.

Mr. *Huskisson* apologized to the House for addressing it, after the able manner in which the subject had been discussed by his right hon. friend, the chancellor of the exchequer, and by the hon. member for Taunton. The House would at once perceive, that the present was an anticipation of the discussion that would take place more regularly on Monday next, when his right hon. friend had signified his intention of bringing the whole question respecting that most important part of our financial system, the sinking fund, under their consideration. He would not complain of it; but the right hon. gentleman who had just spoken had introduced the subject rather prematurely, in his observations on the speech of the hon. member for Taunton—a speech which he had heard with the greatest satisfaction, exhibiting, as it did, the most statesmanlike views with regard to the importance of retaining a surplus revenue, and employing it towards the liquidation of the debt. Coming, as that opinion did, from an individual of the hon. gentleman's knowledge and experience, it would have more weight in the country, and tend more to the maintenance of the public credit, than if it had proceeded from almost any other person in the House. He owned that he was much surprised at what had just fallen from the right hon. gentleman on the subject of the sinking fund. The right hon. gentleman's observations were as applicable against the creation of a sinking fund at any period, as they were against the maintenance of such a fund at present. When he recollected how strenuous a supporter the right hon. gentleman had been of the establishment of the sinking fund in 1786, he was at a loss to understand why he had so completely changed his opinion on the subject. The right hon. gentleman had urged, as one objection to the application of the surplus of five millions as a sinking fund, that it was taking that sum from the people, which would fructify to the national advantage, in their pockets, much more than in the reduction of the debt. There was no objection more trite; nor any which had been so frequently brought against the sinking fund. But it was general in its nature. It was applicable, not only to the present time and circumstances, but to all times and circumstances, when it was proposed so to apply a surplus revenue. He sincerely regretted the departure from the original principles of the sinking fund. He wished that those principles had been adhered to inviolably.—Much as he admired the general reasonings and great talent of the hon. member for Portarlington, he did not think he had been happy in the illustration he had made of the case of a man of 1,000*l.* a year paying off his debt of 10,000*l.* by a fund of 600*l.* a year, and being, at the end of a certain period, in a worse situation than he was at the commencement, by contracting a fresh debt. The hon. member did not state what sort of emergency it was which induced the contracting of the fresh debt, when half the first was discharged. If he could show that the emergency was such as might arise to a nation—the defence of its honour, or the protection of its liberties—then the illustration was unhappy; for in such a case the nation, as well as the individual, would borrow, whether any of the former debt had been paid or not; and it was natural to suppose, that both would be in a better condition to do so, when they had taken previous means to pay off part of the former incumbrance. The right hon. gentleman who spoke last, had complained, that the surplus of five millions had been declared necessary in 1819; but, before he sat down, he admitted, and he (Mr. H.) hailed the admission, that some surplus was necessary. Now, upon an income of fifty millions, if it was admitted that we should have some surplus for an emergency, it was immaterial whether it was called a sinking fund or not; and, considering the amount of our debt, he was prepared to contend, that five millions were not too much. Of this he was persuaded, that even if the sinking fund were abolished, it would be expedient to have a surplus of not much less than five millions, to meet any occasional fluctuations that might take place in the amount of the revenue, and to provide against unexpected contingencies. He would ask those who were rejoicing at the present improvement in the revenue, whether, if the country were to be visited with a bad harvest, which would necessarily be followed by a great change in the price of all the articles of comfortable subsistence, there would not be a considerable diminution in the revenue of excise? In that case, if the present estimated surplus were less than five millions, might not serious public inconvenience and embarrassment be the result? To the right hon. gentleman's question, why a surplus of five millions should be preserved? he had thus given one answer. But he would go further. Whether the resolution which had been adopted by the House of Commons in 1819, was wise or not, was not the present question. But it ought to be recollected, that it was a resolution which had been adopted by a very large majority of the House. If it were now to be departed from, what would be the impression on the country, what would be the impression on all Europe, in the present feverish state of the world? What would be the general inference which would be drawn from such a proceeding, both abroad and at home? Did the House recollect the distinct and explicit terms of the resolution to which he adverted? They were these: "That to provide for the exigencies of the public service, to move such progressive reduction of the national debt, as may adequately support public credit, and to afford to the country a prospect of future relief from a part of its present burthens; it is absolutely necessary, that there should be a clear surplus of the income of the country beyond its expenditure, of not less than 5,000,000*l.*" If that resolution were not in the way, the right hon. gentleman might, perhaps, argue more effectually against the maintenance of such a surplus. But with such a resolution on their Journals, nothing short of the most pressing necessity could justify the House in impairing the national credit in the eyes of Europe, by abandoning the surplus which we had solemnly declared it was indispensable to maintain. If, on the other hand, it was a question as to the amount of surplus, he contended, that 5,000,000*l.* was not a larger sum than was necessary to maintain our credit in the eyes of the world, especially at a time when there was not a country in Europe, which did not think it essential to its own power and security to imitate, and in some instances to surpass, our plan for the reduction of the public debt. It was admitted, on all hands, that there should be some surplus; and it became, therefore, little more than a dispute about words, whether that surplus should be called a sinking fund, or some other name. With respect to the resolutions which had been moved by the hon. member for Abingdon, he quite agreed with the hon. member for Taunton, that if those resolutions were proposed as a substitute for the sinking fund, nothing worse could possibly be devised. The hon. gentleman's second resolution declared, that it had been agreed unanimously by the House, that the only sinking fund which could be efficient, was that which was produced by a surplus of income over expenditure. That was the groundwork of the hon. gentleman's plan; and, the way in which he proceeded to carry into execution this declaration of the House, was by proposing to do away with any surplus whatever! The whole of the hon. member's plan was to transfer 41,330,000*l*. of stock from the purchasers of the land tax, provided the whole 1,239,701*l*. were redeemed and purchased. For what was commonly called the redemption of the land tax, was simply the transfer of a portion of the debt from one class of individuals to another. Suppose the hon. gentleman found persons ready to-morrow morning to conclude the whole transaction, what would be the consequence?—The public charge, and the public income would be equally diminished. By the act of 1786, each separate loan was to be considered as a separate debt. For the interest of each loan a specific sum was provided, by specific taxes for that purpose. He would ask whether if, with regard to any loan subsequent to 1792, any given tax—the sugar duty for instance—had been appropriated to the payment of the interest on that loan, and we were now to allow that duty to be redeemed, any advantage would be gained? It would be very easy to write off all our debt in a similar way; but, when we had done so, we should be paying just the same interest, and be liable to just the same charge as at present. But, as the hon. member for Aberdeen had said, on a recent occasion, we ought to look at the debt with reference not to the capital, but to the annual charge upon it. That charge being in no way affected by the proposition of the hon. member for Abingdon, he must say, with all his respect for that hon. gentleman's acuteness and ingenuity, that he thought the hon. member for Taunton justified in calling it a species of conjuring. With the greatest respect for the talents which had been displayed by the hon. relation of the hon. mover, he must positively deny that there was any resemblance between the present case and the circumstances under which Mr. Pitt proposed his measure. In the present state of the country, the legislature had no object in view to induce them to call on the country to make sacrifices, for the purpose of keeping up the price of the funds. In time of war such a proceeding might be extremely desirable; but in time of peace, when, if there was any surplus of revenue, it was applied to the reduction of the debt, and when government were no longer the creators and sellers, but the purchasers of stock, they could have no possible reason for wishing to raise the price of the funds. If, therefore, the proposed plan were worthy of adoption at any period, it would rather be at a time when public credit might be labouring from great drains upon it, than at a time when it was in circumstances of comparative elevation; it would be at a time when government were sellers rather than when they were purchasers of stock. The whole proposed proceeding, therefore, appeared to him to be delusive. And, even if it were adopted, he rather thought that great disappointment would ensue, with regard to the extent of its practicable execution. A great many circumstances would conspire to prevent individuals from buying up the land tax, and to induce them to prefer the ease and security of the public funds. The amount of the land tax in each county was fixed; and was the same now as in the time of William the 3rd. It did not vary. But, in the event of the erection of a great number of buildings in any particular district, a new apportionment of the land tax might take place. For that reason, individuals would be reluctant to buy what could not increase, but might diminish in amount. Under these circumstances, though he might be disposed to consider the proposition at another time, he did not think the present was the occasion when we were required to bolster up the funds by such a plan. He begged pardon for having trespassed on the House so long; but, hearing the sinking fund attacked by hon. members of such high authority, he was anxious to show, that the abolition of that fund would be not only inconsistent with the declared resolutions of parliament, but against that sound policy which the country had hitherto adopted for the support of public credit.

Mr. *Calcraft* considered the present discussion to be important, not merely because it related to the plan of his hon. friend, but because it also involved the application of the surplus of our revenue, and the arrangement of the sinking fund. The right hon. gentleman who had just sat down, in alluding to his hon. friend's plan regarding the sinking fund, had said, that the objection which had been made to the sinking fund, as at present conducted, might have been made against its first establishment in 1786. Now, the charge which the right hon. gentleman had made against his hon. friend did not apply at all. The internal state of the country differed so much from what it was in 1786, that no parity of circumstances could be found between them. For his own part, he did not consider the difference of opinion between the two sides of the House to be so great as the right hon. gentleman had represented it. The chancellor of the exchequer had told the country, that it was to have a remission of taxation to the amount of 2,000,000*l.*, and a sinking fund to the amount of 5,000,000*l.* The proposition on his side of the House was, that there should be a remission of taxation to the amount of 3,000,000*l.*, and a surplus of revenue, called by ministers a sinking fund, to the amount of only 2,000,000*l.* Every man must see that such a remission of taxation would tend very materially to improve the remaining branches of the revenue. Indeed, he was of opinion, that it would improve them so much, that there would be, at the close of the year, a surplus of even more than 2,000,000*l.* The right hon. gentleman who spoke last, had argued as if the resolution of 1819 was so binding upon the House, that any departure from it would be a breach of public faith. But, what could be more inconsistent than this language in the mouth of the right hon. gentleman, who, in order to arrive at the resolution in question, had passed over a law of the country which had been violated by it? The highest doctrine which he had yet heard avdanced regarding the sinking fund, was that which had been advanced by the hon. member for Taunton. Now, the hon. member's doctrine would be very good, if he had to deal only with inanimate objects; but, unfortunately, it was with the people that the hon. member had to deal; and he appeared to have left entirely out of his consideration, their wants, their feelings, and their distresses. Surely he ought to have recollected, that a remission of taxation to the amount now proposed would not only be for the good of the revenue, but also for the ease and the comfort of the people. It was curious to see men who had imposed 3,000,000*l.* of new taxes in 1819, now coming forward to declare, that they thought the public would murmur excessively, if, after they had received some abatement of taxation, any new taxes were imposed upon them, to support the country in those exertions which might be required of it, by a due regard to its own honour, and the liberty and independence of the rest of Europe.

Mr. *Maberly* shortly replied. He contended, that the plan which he had introduced to the House, did not deserve the name of bubble, which had been applied to it. Indeed, if it was a bubble, it was a bubble which not only Mr. Pitt had supported, but also the right hon. gentleman who had for so many years sat upon the opposite benches. The plan too, whether it was a good or bad one, was not his plan; but had for many years been sanctioned by an act of parliament. Kicked and cuffed about, as it had been that evening, he must still maintain, that no argument had been offered to the House, to show that it might not honestly and fairly remit seven millions of taxes, and by selling the land tax, get a substitute for the five millions which it had determined to apply annually to the maintenance of the sinking fund. With this conviction on his mind, he was determined to press his resolutions upon the House.

The previous question being put upon the first resolution, the House divided: Ayes, 72; Noes, 157. Majority against Mr. Maberly's resolution, 85. The previous question was then put on the rest of the resolutions, and negatived without a division.

List of the Minority.

Allen, J. H.
Barrett, S. M.
Benett, J.
Bennet, hon. H. G.
Benyon, B.
Bernal, R.
Calcraft, J. H.
Calcraft, J.
Carter, J.
Clifton, lord
Curwen, J. C.
Cradock, S.
Davenport, D.
De Crespigny, sir W.
Denison, W. J.
Denman, T.
Dickinson, W.
Dundas, C.
Ebrington, visc.
Ellice, E.
Farquharson, A.
Farrand, R.
Ferguson, sir R. C.
Grattan, J.
Griffiths, J. W.
Guise, sir B. W.
Hamilton, lord A.
Heron, sir R.
Hobhouse, J. C.
Honywood, W. P.
Hornby, E.
James, W.
Johnstone, W. A.
Legh-Keck, G. A
Lamb, hon. G.
Lennard, T. B.
Lethbridge, sir T.
Leycester, R.
Lushington, S.
Leader, W.
Maberly, W. L.
Macdonald, James
Marjoribanks, S.
Monck, J. B.
Mundy, F.
Newman, R. W.
Normanby, visc.
Ord, Wm.
Palmer, C.
Palmer, C. F.
Pelham, J. C.
Price, Robt.
Poyntz, W. S.
Pryse, P.
Ramsden, J. C.
Ricardo, D.
Robarts, A. W.
Robarts, G. J.
Rowley, sir W.
Scarlett, J.
Sefton, earl of
Shelly, sir J.
Smith, W.
Talbot, R. W.
Tierney, right hon. G.
Tynte, C. K.
Webbe, E.
Whitbread, S. C.
White, col.
Williams, T. P.
Wilson, sir R.
Winnington, sir T.
Wood, M.
Wyvill, M.

TELLERS.

Maberly, J.
Hume, J.

PAIRED OFF.

Birch, J.
Brougham, H.
Creevey, T.
Duncannon, visc.
Robinson, sir G.
Wilkins, W.

HOUSE OF COMMONS.

Monday, March 3.

EAST INDIA SUGAR.]—Mr. Whitmore presented the following Petition from the Merchants, Ship-owners, and others, concerned in the Trade to the East Indies:

"The humble Petition of the undersigned Merchants, Agents, Ship-owners, and others, interested in the Trade to the East Indies, and resident in London,

"Humbly sheweth—That your petitioners are extensively engaged in the trade of the East Indies.

"That your petitioners are cordial friends to every measure which, proceeding on fair and impartial grounds, has for its principle the removal of those restrictions which fetter the commerce of this country.

"That your petitioners, actuated by these sentiments, did indulge a confident hope, that when your honourable House removed the restrictions which confined the trade of the British West India colonies to the mother country, and by the acts 3rd Geo. 4th, cap. 44 and 45, extended the commercial intercourse of those colonies with the United States of America, with independent Spanish America, and the continent of Europe, the views of your honourable House would not have been limited to the West India colonies, but that, consistently with the same sound commercial principles, the East India trade, the British empire in India, and the people of the united kingdom, would have been relieved from the burden of the protecting duty of 10*s.* per cwt. chargeable on sugars imported from the East Indies, over and above the duty levied on sugars imported from the West Indies.

"That your petitioners must consider that measure, unless followed by such relief, to be partial in its operation, and therefore fraught with injustice to them, to the population of British India, to all persons in any manner connected with it, and to the united kingdom in general.

"That when the said protecting duty was granted with a view of securing a preference in the home market to the West India planters, the main argument employed in defence of the measure was, their being excluded from foreign markets (with the exception of ports south of Cape Finisterre, under certain regulations). Now, however, since the range of the world has been afforded them for the sale of their produce, and the purchase of their supplies, that preference should cease.

"That, continuing to the West Indians the virtual monopoly of the home market, whilst their sugars are allowed to enter into direct competition with East India sugars in foreign markets, confers an undue advantage on the former, at the expense of the latter.

"That your petitioners are clearly of opinion, that the retention of the protecting duty in question will prove an injury to the people of the united kingdom, by its obvious tendency to enhance the price of sugar—an article of such general use amongst all classes of the community; and will also prove injurious to the revenue, by narrowing the consumption.

"That it will be further highly injurious to the merchants, manufacturers, and ship-owners, engaged in the trade between this country and India, by crippling their means of successfully prosecuting the same.

"That the use of sugar, as a dead weight to ships returning from India, is essential to the existence of the trade with that country.

"That authentic information has been laid before your honourable House, of the great increase of the demand for British manufactures on the part of our Indian population; a demand limited only by the difficulty of procuring returns.

"That the privation of so material an article as sugar, is one of the chief causes of this difficulty, and tends decidedly to check the increase of what promises to become one of the most valuable branches of British commerce.

"That the said protecting duty does, moreover, inflict a serious injury on the great body of the people of Hindostan, who are entitled, as British subjects, to a fair participation in the home market, and who possess the further claim to the consideration of your honourable House—that they provide for their own protection and civil government; and, instead of proving a burden to the united kingdom, increase its wealth, and add to its resources.

"That in estimating the comparative importance of the two branches of British commerce which are thus brought into competition, the immense difference in the population of the East and West Indies should not be overlooked; as the trade with the East Indies is to meet the growing demand of a population of one hundred millions, whilst that with our West India colonies is confined to a population of seven or eight hundred thousand.

"That your petitioners ask for no exclusive favour, preference, or protection to themselves; all that they require is, to be placed upon an equal footing with the West Indians, both in the amount of duties, and in the classification of qualities; so that, if British India can produce cheaper sugar, her numerous population, placed under British protection, may not be deprived of the best means of exercising their industry; that her trade may not be diverted to foreign countries; and finally, that the united kingdom may not lose the inestimable advantage of the exchange of its manufactures for the productions of India.

"Your petitioners, therefore, deeply impressed with the correctness of these opinions, implore your honourable House, after having conferred so important a benefit on the West India colonies, not to overlook the other great and important interests involved in the question; and they respectfully submit to the justice of parliament, that the removal of the restrictions on West India commerce should be followed by an equalization of the duty on sugars imported from the East and West Indies, and a just classification of the qualities of East India sugars.—And your petitioners, as in duty bound, will ever pray."

Ordered to lie on the table.

NATIONAL DEBT REDUCTION ACTS—SINKING FUND.]—The House having resolved itself into a Committee on the Acts for the Reduction of the National Debt,

The *Chancellor of the Exchequer* rose. He said, that the object he had at present in view, was to propose to them a series of resolutions, for the purpose, in the first place, of carrying into effect the recommendation of a committee of last year, which had considered the state of the public accounts. He was on this occasion inclined to flatter himself, that his resolutions were of a description not likely to be opposed. It was constantly admitted in the abstract, when the question was incidently discussed, that it was right, in a time of peace, to effect a reduction of the public debt, by applying to that purpose, whatever surplus existed of revenue over the current expenditure; but still it was often thought, that the attempt was useless, because the great variety of circumstances arising out of the change of things in the country, had a constant tendency to render that surplus of revenue more applicable to other urgent exigencies at the time—indeed, to make its application to the reduction, otherwise advisable, impracticable, and often tending to a destruction of that surplus itself. This constant fluctuation of circumstances, and wavering of opinions respecting them, was not, in his judgment, a sufficient reason for abstaining from fixing upon a principle for the reduction of the debt. The object was too important to be laid aside, merely because difficulties in its execution had arisen, or might again exist. It was no argument against the application of a principle, in theory admitted to be beneficial, to say, that the attainment of its advantages was practically difficult, and the ultimate realization of them partial and uncertain. To say that they would not extract from a good principle some of the benefits of its operation, because all were unattainable, would be to neutralize every effort which had a tendency to amelioration, and to paralyze the energies of every country which looked forward to the attainment of progressive advantages. On general principles, therefore, he thought it quite clear the attempt ought to be made, without reference to ultimate contingencies. To refuse assent to the proposition, would be to urge an argument of despondency, and to say this —"If we cannot do all, we can do nothing." Such an argument, he was sure, would not be listened to for one moment. Let the committee see to what it would lead. He might apply it to the question of taxation. It might be said, "Why repeal any taxes, when, on a future occasion, a year or two hence at most, it will be necessary, perhaps, to re-impose them?" Such a mode of reasoning, if it deserved the name, would be scouted by parliament; and yet, in principle, it was the same as that which prevailed upon the subject of the reduction of the debt, when it was said, that the surplus revenue ought not to be so applied, merely because circumstances might arise to prevent the principle from being carried into effect. If, then, his opinion was, that it was not unfair or improper to make the attempt to act on the principle he recommended, there was undoubtedly, this inference always to be drawn—that though the mutability of human affairs, on the large scale of such a country as this, rendered prospective arrangements dubious, yet that, at all times, it was the imperative duty of the government to apply a steady and vigilant superintendence to every branch of the public expenditure, for the purpose of strengthening and maintaining the surplus of revenue, whatever it should be. It was always further to be understood, that the government should act upon a moderate and prudent, yet firm line of policy towards our external relations. That it was, on the one hand, the duty of government and of parliament to sustain, whilst, on the other, it was the duty of the people, in the event of an unjust aggression requiring repression, or of national honour demanding vindication, to submit as long as possible to every sacrifice, for carrying into effect the application of surplus revenue to such an object as he had recommended. He thought, that in looking at this question, they ought to be as little as possible diverted from the attempt to establish a systematic plan, by the contemplation of any future contingencies. Whatever prospective gloom in the minds of some might arise, yet he thought it not unreasonable to hope, that the country had no reason to expect a recurrence of those difficulties which she had heretofore encountered. If they reviewed the events of the last thirty years, it was quite unreasonable to anticipate, that similar exertions and sacrifices would be required for a similar number of years in advance. When they considered the eventful occurrences which had followed so close upon Mr. Pitt's plan of a sinking fund, and defeated its due operation—when they reflected upon the rapid succession of astonishing events, which at that time baffled the calculations of the wisest, and defeated the anticipations of the most prudent, he thought they might reasonably reckon upon escaping a recurrence of the same extraordinary occurrences. He saw, therefore, no reason why they should not look forward to a steady application of a surplus of revenue to the reduction of the public debt.—It might be desirable for them, on the present occasion, to see what was the actual situation of that debt—as compared with what it had been at the highest year of its amount. This was the more necessary, when they were told, that it was in vain to hope for any reduction of that debt, or of the burthens arising out of it, in the manner which had been pointed out. This argument was not, to the extent in which it was used, founded in fact. This was obvious from a comparison of the present amount with which it was in 1816, when it had reached its highest sum. This comparison would show, that during the seven years which had intervened since 1816, there had been, in point of fact, an actual diminution of debt; not to a very great extent, indeed, but still enough to show, that an actual reduction had been effected, which could not have taken place, unless by the application, by some means or other, of the surplus revenue. On the 5th of January 1816, the amount of the funded unreduced debt was 816,311,940*l.*; the amount of the unfunded debt, the exchequer bills, Irish treasury bills, and ordnance debt, was 48,511,386*l.*; the charge upon both was 32,340,633*l.* The state of the same account, on the 5th Jan. 1823, was as follows: the amount of the funded debt was 796,530,144*l.*; of the unfunded, including all the items of what were technically called exchequer deficiency bills, 43,526,661*l.* The charge upon the first of these sums was 28,100,000*l.*; upon the second, 1,162,752*l.*; making a total of 29,262,752*l.* If they compared the amount, on the 5th Jan. 1816, and on the 5th Jan. 1823, they would find to demonstration, that in the funded debt, 19,701,796*l.* had been reduced; in the unfunded 4,984,725*l.*; making a total of 24,766,521*l.*, or, to speak in round numbers, a reduction of 25,000,000*l.* which, upon an average for the seven years, amounted to 3,500,000*l.* each year. He could further state, that this reduction would have amounted to 10,000,000*l.* more, were it not for the conversion of the 5 per cents to the 4 per cents; an operation, the effect of which was to add to the unfunded debt 2,700,000*l.*, and to the funded, 7,000,000*l.* Were it not for that financial operation, the reduction of debt since 1815 would have amounted to 35,000,000*l.*, instead of 25,000,000*l.*, being at the rate of five millions annually within that time, instead of 3½ millions.—If the committee would turn their attention to the charge on the debt (and that was undoubtedly the most awful part of this momentous subject, because it was the charge arising on the capital debt which occasioned the immediate pressure that was felt by the people), they would find that, owing partly to the application of surplus revenue where we had any, and partly to the effect produced by the measure of last year—a measure which he held to have been effected, and perhaps practicable only, by the state of public credit, and the determination which parliament had evinced to support it,—they would find, comparing the present charge of the two debts, the funded and unfunded, with what it was in the year 1816, that there was now a diminution exceeding 3,000,000*l.* Could any gentleman maintain that here was no encouragement for parliament to proceed as speedily and as vigorously as possible in a course, from which they had already derived the most decided advantages? In alluding to the financial operation of which he had spoken, he must be allowed to say, that it was through that process, that the country had been able to diminish the public burthens by more than 3,000,000*l.* He was not, therefore, making a very unreasonable request, if he asked the country—if he asked that House—to continue to support a system that had been already productive of so much advantage. In this view it would be, that he should propose some resolutions to the House that night; and he thought he might venture confidently to assume, that the sinking fund, with which they would now start, amounted to 5,000,000*l.* He knew there might be some difficulty in stating that amount with perfect precision; and he might be asked, why he took it at 5,000,000*l.* exactly?—He did not mean to contend, that there was any particular charm in the number; but in matters of this kind, the difficulty he spoke of almost always occurred; so that whether he assumed the amount at 4,000,000*l.* or 2,000,000*l.* some doubt of the sort would always be to be encountered. Now, he proposed to take it at 5,000,000*l.*, because that was about the average of the surplus or saving; and because it was in conformity to a resolution of the House, passed in the year 1819, that it was expedient to have a clear sinking fund of 5,000,000*l.* The object of that resolution related to the application of a certain amount to the reduction of debt: and the effect of the first resolution which he should now move would be, that this sum of 5,000,000*l.* should be appropriated to the same purpose. The way in which he should propose to accomplish this object, by a fresh course of proceeding, would be, by the repeal of all those parts of the sinking fund acts, which directed the payment of the particular sums that were now payable out of the consolidated fund, to the commissioners for the reduction of the national debt. All such passages of the acts he would move to repeal. The House were aware, probably, that under the existing law, the total amount annually paid over to those commissioners was about 15,000,000*l.* or 16,000,000*l.*; but he conceived, that as a great portion of this amount was at present either lent to the government, or diverted to other uses, it was unnecessary to continue such a complicated machinery; more especially if, under the new arrangement, they started with a clear sinking fund of 5,000,000*l.* —He should next propose to pay over these 5,000,000*l.* in quarterly portions to the commissioners for the reduction of the debt as they now existed. He should then propose, that so much of the interest of the debt as these 5,000,000*l.* would annually redeem, should also be paid over to the commissioners; in order to constitute that sort of principal, or capital, which Mr. Pitt originally contemplated. There were many reasons which made it very desirable, that the fund in question should, for a certain time, accumulate; and none were more obvious than those which had been suggested on a former evening by the hon. member for Taunton, (Mr. Baring), who thought that, "if they started immediately with a sinking fund of 5,000,000*l.*, the reduction it would effect would be so small, that it would be infinitely wiser to allow it to accumulate, at interest, to a certain extent; that, when it had reached that point, the question of its application would assume a very different aspect; because, the annual interest might then be so far increased, as to make it advisable to give the public the full benefit of it, either for the reduction of taxes, or for any other purpose." This he had understood to be the effect of the hon. gentleman's observations on a former occasion. He should therefore say, that it was advisable to allow the interest of these 5,000,000*l.* to go on, regularly accumulating, until, in process of time, it should have reached an amount equal to one per cent on the total of the funded and unfunded debt taken together. The time by which this operation could be completed, could not, of course, be exactly calculated; because that must depend on one or two contingencies, particularly the price of the funds at the period when the commissioners should effect their purchases. It was obvious also, that if the revenue should continue to improve, then that proportion of the debt which was unfunded would diminish; and, precisely in proportion as the unfunded debt might diminish, so the period would be accelerated at which the capital equal to one per cent on the whole debt would be produced. When this should have taken place, he meant to propose, that it might be left open to the discretion of parliament to dispose of such capital, in the way that might to them appear most expedient; without now binding the commissioners to any particular pledge on the subject.—After the discussions which they had so recently had upon the subject, he was entitled to assume, that it was their general opinion, that it was wise and expedient for the country to possess a sinking fund, if she could have it. He was entitled to assume, that we had, undoubtedly, the means of reducing our debt; that we had the means of still further reducing it by this application of the sinking fund; and that 5,000,000*l.* was no unreasonable sum to appropriate to this purpose. He hoped, therefore, that the committee would acquiesce in the resolutions which he should propose; as he was convinced, that by so doing, they would confer an inestimable benefit upon the country. He was satisfied that such a measure was calculated, beyond any other means, to enable us to continue in that commanding station which we now occupied—a station which had excited, perhaps the envy, but which had attracted, in at least a corresponding degree, the admiration of surrounding nations.—The right hon. gentleman concluded with moving the first of the following Resolutions:

1. "That the payment of all sums of money which now are charged upon and issuable out of the consolidated fund of the united kingdom of Great Britain and Ireland, to the commissioners for the reduction of the national debt, shall upon and after the 5th of April 1823, cease and determine.

2. "That all capital stock (save and except the capital stock arising from donations and bequests towards reducing the national debt), and all annuities for terms of years, which, on the 5th of April, 1823, shall stand in the names of the commissioners for the reduction of the national debt, in the books of the governor and company of the Bank of England, or of the South Sea company, or of the Bank of Ireland, either on account of the sinking fund, or for the purchase of life annuities, shall, from and after the 5th of April 1823, be cancelled in the books of the said Banks, and South Sea company respectively; and the interest or dividends, which would have been due and payable on the said capital stock or annuities upon and after the said 5th of April, shall cease to be issued from, or charged upon the said consolidated fund.

3. "That upon the 5th of April 1823, or as soon after as the same can be prepared, an account shall be laid before

parliament, showing the total amount of the unredeemed funded debt and outstanding unfunded debt in exchequer bills unprovided for, of the united kingdom, on the said 5th of April; together with the annual charge attending the same; and there shall from thenceforth be set apart and issued, at the receipt of the exchequer of Great Britain and Ireland, out of the said consolidated fund, to be placed to the account of the commissioners for the reduction of the national debt, the annual sum of 5,000,000*l.* to be applied by them towards the reduction of the national debt of the united kingdom, and which said sum shall be charged upon the said consolidated fund, and issued by equal quarterly payments; the first quarterly payment to be charged upon the said consolidated fund on the 5th of April 1823.

4. "That it is expedient that so much of two acts of the 53rd and 56th years of his late majesty, relating to the redemption of the national debt, as require that whenever an amount of capital funded debt of Great Britain and Ireland respectively should have been transferred to the said commissioners, as should be equal to the whole capital, and which should have produced an interest or yearly dividend equal in amount to the whole annual charge in perpetual annuities of each loan contracted since 1786, that a certificate and declaration thereof should be made by the said commissioners, and the amount of the public debt to which such certificate and declaration should relate, should from time to time be deemed to be wholly satisfied and discharged, and an equal amount of capital stock, standing in the names of the said commissioners, should be considered to be redeemed, and should from time to time be cancelled, should be repealed.

5. "That no capital stock, or annuities for terms of years, which, after the 5th of April 1823, shall be placed in the names of the said commissioners, in the books of the Bank of England, or of the South Sea company, or of the Bank of Ireland, shall be cancelled (save and except the stock placed in their names for the redemption of the land tax), until the interest of the debt redeemed by the said commissioners, by the application of the said sum of 5,000,000*l.*, and of the growing interest thereof, shall, together with the said sum, have accumulated to a sum the annual amount whereof shall not be less than the one-hundredth part of the then existing unredeemed funded and outstanding unfunded debt in exchequer bills unprovided for, of the united kingdom taken together; and that any capital stock or annuities for terms of years, which shall be placed in the names of the said commissioners on account of the sinking fund, or for the purchase of life annuities, after the said sinking fund shall amount to the one-hundredth part of the said unredeemed funded and unfunded debts as aforesaid, taken together, shall be liable to be cancelled at such times and in such manner as parliament shall from time to time direct.

6. "That a new and separate account shall be raised and kept in the books of the governor and company of the Bank of England, of the sums already given by way of donation or bequest towards reducing the national debt, and of all sums which shall hereafter be given or bequeathed for the like purpose, and the interest or dividends which shall accrue on all stock arising therefrom shall be applied in the purchase of public annuities, composing the national debt, for the purpose of fulfilling the directions of the person or persons giving or bequeathing the same, and to no other purpose whatever.

7. "That the annual expense of the establishment in Great Britain for the reduction of the national debt shall be charged upon the said consolidated fund.

8. "That the expenses of the establishments necessary for carrying into execution an act of the 48th year of his late majesty, for enabling the commissioners of the national debt to grant life annuities, and of two acts of the 39th and 54th years of his said majesty, for the redemption of the land tax, shall be charged upon the said consolidated fund.

9. "That it is expedient that the several acts for the reduction of the national debt, should be altered and amended."

Mr. *Leycester* remonstrated against that callous feeling which could allow the House to listen patiently to such calculations as those which the right hon. gentleman had just submitted to them, instead of turning their attention to the best means of affording relief to the distresses of the country. The condition of the treasury was a secondary consideration in the present crisis. The purse of the people was the best treasury of the state. With respect to the sinking fund, even if it were wise in its origin, it had become a folly, and was wholly inapplicable to the existing condition of things. What kind of policy was that which pressed still more heavily those, who were already sinking under the burthens imposed on them? What kind of policy was that, which pretended to pay off the capital of a debt, the mere interest of which it was found a matter of the greatest difficulty to defray? Were the landed gentlemen of England ready to acquiesce in their own degradation? Were they ready to fall down and worship that divinity, called the sinking fund? He imagined the proposition of the right hon. gentleman was occasioned by the present threatening attitude of France. But he warned the House against allowing a temporary motive to betray them into the adoption of a permanent evil. For himself, he should be at all times disposed to confide the vindication of the honour and dignity of the country, to that strong arm and sinew of war—the property tax.

Mr. *Robertson* entreated the attention of the House to a few statements, which might suffice to show the improvident manner in which the finances of the country had been administered, and the mischievous effects which had resulted, in consequence of the original institution of the sinking fund. Seventy years ago, the government borrowed money, at precisely 3*l.* per cent for every 100*l.* that was paid into the exchequer. Now, upon what principle did it happen, that although the credit of the country continued equal to what it was seventy years ago; we were borrowing money at 5*l.* per cent interest for every 100*l.* that went into the exchequer, and had otherwise engaged this country, for every 100*l.* to repay 166*l.*; that was, two-thirds per cent more than the amount that so found its way into the exchequer? These engagements we had contracted during war; but, now that peace had returned, we were, in effect, extracting from the people that money which they had never received, and from which, therefore, they had derived no sort of benefit. During the earliest of the periods to which he had adverted, when the government were borrowing money at so low a rate of interest, the amount contracted for did get into the exchequer; and that amount was repaid to the public creditor. From this wholesome practice we first departed, during the seven years war, when we ceased to borrow so advantageously; next, in the American war, when we borrowed still less advantageously; and finally, in the last war, when we borrowed upon terms the worst of all. The last three years of the war furnished a striking exemplification of the enormous losses that this country had incurred by loans. In 1813, we borrowed 27 millions, for which we engaged to repay 45 millions. In 1814, we borrowed 24 millions, for which we engaged to pay 32 millions. In 1815, we borrowed 36 millions, for which we engaged to pay 66 millions. When the last sum was borrowed, it was funded at 54; a bonus to the contractors of 2*l.* 13*s.* 8*d.* reduced it to 51*l.* 6*s.* 4*d.* Thus, for every sum of 51*l.* 6*s.* 4*d.* paid into the exchequer, the country engaged to repay 100*l.*, making the interest nearly 6 per cent. It was impossible, therefore, to say that public credit was as good now as it was seventy years ago, when a full hundred pounds was borrowed at 3 per cent. Governments were as much affected by borrowing on usurious principles as individuals were. The House had been referred to the conduct of other countries. The Americans since they had become free had borrowed certain sums at an interest of 6, 7, and 8 per cent. During the last war, the Americans, in 1812, borrowed money at 6 per cent, receiving the full 100*l.* into their treasury. In 1813, they borrowed money at 6 per cent, but were obliged to be content with receiving into their treasury only 90*l.* for every 100*l.* In 1814, the president was authorized to borrow more money. Finding, however, that he could not obtain it but at a rate to which he did not choose to accede, he issued exchequer bills, for the purpose of carrying on and terminating the war. France, under the influence of British bayonets, and Cossack lances, had entered into engagements which she could fulfil only by contracting large loans. And those she effected by paying the enormous interest of from 8 to 10 per cent; accompanied, as in our case, by the condition of a large increased repayment of the sum originally borrowed; which, in fact, swelled the interest up to 15 per cent. And yet, the House had been called upon to admire the financial conduct of France! Russia also had been quoted as worthy of admiration. Russia had a debt of 48 millions; upon 26 millions of which, she paid no interest at all. As for her good faith, indeed, the fact was, that she altogether ceased to pay the interest of her debt; nor did she resume such payment until the government of the Netherlands and ourselves, with our usual liberality, engaged to pay half the interest in question. In the last three years of the last war, had we incurred a debt of 57,000,000*l.*, owing to our system of borrowing—a debt, greater than the debt of Holland, America, and the Netherlands, put together. It was difficult for him to know how to act in the face of such absurdities. He found himself almost in a dilemma, as to deciding whether there ought now to be a sinking fund or not. The difficulty was this:—Was it better for the country to pay 50*l.*, 60*l.*, or 100*l.* per cent premium or increased debt, by taxes, or to leave for the present a higher rate of interest chargeable on the country? If they kept up the sinking fund, they raised the sum to be extracted from the people, but they diminished the interest payable on the debt; if they did away with the sinking fund, they diminished the amount to be so extracted, but raised the interest. Between these two evils, so preposterous was the absurdity of the case, that he hardly knew how to choose. Upon the whole, he considered that, under the burthens which were imposed upon the country, a low interest of money was, perhaps, the only thing that could enable our merchants and manufacturers to cope with the markets and productions of other countries. This appeared to him desirable also, on account of the landed interest; to whom he looked with peculiar anxiety, though they did not seem aware of their own danger. On these principles, he would give his support to the sinking fund. Upon the exorbitant engagements into which we had entered for the repayment of so much more than the monies we had borrowed, he had already given notice of his intention to submit a motion to the House; and he would take this opportunity of stating, that the ground of it would be his belief, that it was quite uncalled for by any principle of moral right or justice, for this House to adhere to such a system. By the sinking fund the debt had been increased at one end, as fast as it had been reduced at the other. The system was an entire delusion, which threatened the ruin of the country and the subversion of the throne; for of this he was persuaded, that if the aristocracy of the country were destroyed, the other institutions of the country could not stand. It was impossible we could fulfil our present engagements. The only question, therefore, was, how the country could best be relieved from its awful situation. His proposition was this. We must consider what would have been just when the various parts of the debt were contracted; at what rate the fundholder ought at those times to have lent his money. We must consider to what interest he was at those times entitled, without reference to any increase of capital. That interest, without any increase of capital, ought to be allowed him. It ought to be calculated at compound interest; but the capital debt liable to be paid off ought to remain fixed. One great consequence of this arrangement would be, that it would entirely do away with stock-jobbing. No man would any longer keep large masses of money locked up in the city, for the purpose of speculating with it in the funds. The devices of such individuals, with whom no chancellor of the exchequer was able to compete, brought up as they were in selfish principles, would be at an end. The interests of the nation and of the permanent fundholder would be the same. His object, in fact, was to secure both the fundholder and the country from the evils of the present system of borrowing.

Mr. *Hume* said, he had heard the statement which had been made by the chancellor of the exchequer, with considerable surprise, because it was in contradiction to documents which had been laid on the table of the House. He therefore hoped that the right hon. gentleman would, as early as possible, put the House in possession of a printed statement, which might be compared with other documents. It was impossible the House could come to a just conclusion with respect to the operations of the sinking fund, without referring to all the accounts which had been laid before parliament; and there were four or five different sets of those accounts, all differing from each other, as he should be able to prove, if the chancellor of the exchequer would consent to go into a committee upon the resolutions which he (Mr. Hume) submitted to the House last year, and which he intended again to propose. The chancellor of the exchequer was wrong in the calculation which he had made of the amount of debt redeemed by the operation of the sinking fund, from 1816 to the present time. The diminution of the debt, which the right hon. gentleman considered to be the result of the operation of the sinking fund, was, in fact, occasioned by the falling in of terminable annuities. The chancellor of the exchequer had said, that the charge for the debt was less now than in 1817. He (Mr. H.) had not an opportunity of seeing the accounts for the present year, but he would show the House, that up to 1822, the charge, instead of being less, was actually more than it was in 1817. The amount of our income and expenditure, from the period of the junction of the two revenues of England and Ireland in 1817 to 1822, including every charge, except that of the sinking fund, was as follows:—

	Income.	Expenditure.
Year 1817	£.57,650,589	£.58,544,049
1818	59,667,941	57,872,428
1819	58,680,252	57,392,544
1820	59,769,680	57,476,755
1821	60,686,076	57,639,893
Total	296,454,538	288,925,669

From this calculation it resulted, that there was an excess of income over expenditure to the amount of 7,528,869*l.* But, notwithstanding that excess of income, no less than 90,761,920*l.* had been raised during the five years from 1817 to 1822, to support a sinking fund, of which sum 82,053,758*l.* had, it was said, been appropriated to the reduction of the debt. Although the debt had been reduced, by the falling in of terminable annuities, in the proportion of 211,222*l.* per annum, the amount charged in each year, for the interest and management, was as follows:—

In 1817	£.31,266,601
1818	31,551,751
1819	30,792,025
1820	31,252,612
1821	31,966,078

showing an actual increase of 669,477*l.* since the year 1817.—The hon. gentleman then proceeded to argue, that an immense saving would have been effected if the government had imposed taxes to supply its wants, instead of having recourse to the ruinous system of loans. The actual amount of the revenue of Great Britain, derived from taxes, from the 5th of Jan. 1793, to the 5th of Jan. 1817, was 1,114,318,563*l.* and the expenditure for the same period, including the charge on the debt, as it stood prior to the 5th of Jan. 1793, and every other expense except the charge on the money borrowed since 1793, was 1,252,667,603*l.*, being an excess of expenditure over income to the amount of 138,349,094*l.* In order to meet this excess, not less than 618,163,857*l.* were raised by creating 879,289,943*l.* of nominal capital, and increasing the issue of exchequer bills to the amount of 33,289,800*l.* at an annual charge of 30,179,363*l.* Out of that sum of 618,163,857*l.*, the commissioners for reducing the national debt had received 188,522,240*l.*, with which they purchased stock, the dividend upon which amounted to 9,168,233*l.* By those operations, the government had occasioned an annual charge in perpetuity of no less than 21,006,130*l.*, which would have been avoided if the sum of 138,349,040*l.* had been raised in taxes during the 24 years to the extent of six millions a year. Much had been said of the necessity of supporting a sinking fund, for the sake of maintaining public credit. He could not see the force of that argument. It was, in his opinion, impossible to draw a line of distinction between public and private credit: they both depended upon the same circumstance; namely, the punctual fulfilment of engagements. What had the public contracted to do? Why, to pay certain perpetual annuities; and, as long as they continued to pay those annuities, public credit would be maintained. The late chancellor of the exchequer had a most extraordinary idea of what constituted public credit. He thought that it consisted in a high rate of stock. With all due deference, he (Mr. Hume) was of opinion, that a high price of stock was injurious to the country. He would fearlessly appeal to the present chancellor of the exchequer, whether the means adopted by his predecessor for bolstering up the funds, had not been attended with unfortunate results. The excess of income over expenditure from 1817 to 1822, amounted, as he had before stated, to 7,528,869*l.* What did the late chancellor of the exchequer do, when he found himself in possession of that surplus? He sent the commissioners for the reduction of the national debt into the market, and they purchased stock to the following amount in the respective years:—in 1817, 13,696,991*l.*; in 1818, 14,562,932*l.*; in 1819, 9,436,053*l.*; in 1820, 4,257,934*l.*; in 1821, 4,324,574*l.* Nothing could exhibit the absurdity of the sinking fund in a stronger light than these transactions. Although there existed only a nett surplus of 7,000,000*l.* during the five years he had mentioned, the chancellor of the exchequer had actually borrowed, by means of loans, 90,000,000*l.*, out of which he gave 80,000,000*l.* to the commissioners for the reduction of the national debt, to be expended in the purchase of stock, in order to keep up the price of the funds. The effect of so bolstering up the funds had been, to induce Englishmen to invest their capital in foreign securities; which he did not like to see. If the resolutions which had been proposed by the chancellor of the exchequer had for their object the keeping up of the sinking fund, he would oppose them at every step. The plan of the right hon. gentleman was, paying with one hand and borrowing with the other; whereas the uncertainty and additional expense of that mode might be avoided by cancelling the debt as the surplus accrued. The right hon. gentleman had laid great stress upon adhering to the resolution of 1819. What was that?—that the public credit of the country could not be effectually held up without a surplus of five millions as a sinking fund. But, was there that surplus? He had contended at the time, that no such surplus could exist without the addition of new taxes. He now asked, what was the result? The House had come to the abominable resolution to add three millions, by additional taxation, to make up this sum of five millions, which was to be called a surplus revenue and a sinking fund. He should never cease to object to a system founded as this was. It had been said, that there was a great advantage to the public creditor in this, that he was paid in a better currency than that in which the debt was, for the greater part, contracted. True it was; and he would here repeat his anxious wish, that good faith should be kept with the public creditor: but the chancellor of the exchequer went farther—he gave more than was required in justice to the other branches of the community; for he continued the depression upon those other branches, by keeping up a sinking fund of 5,000,000*l.*, to be, as it were, a greater security. Now, he contended, that in fact it would afford no greater real security to the public creditor, while at the same time it would be greatly injurious to the other classes, and might be the means of injury to all, inasmuch as it would enable ministers to continue their system of enormous expenditure. But it might be asked—would he have no surplus? Yes. He would remit the 5,000,000*l.* in taxes, and still there would be left a surplus of from 1,000,000*l.* to 1,500,000*l.*; and, besides, the revenue would improve in proportion as the burthens of the people were lightened. It was said on the repeal of the salt-tax, that a great part of the sum reduced would come back to the exchequer in another shape. It would be the same in the reduction of these 5,000,000*l.*: a considerable portion of the money would find its way back, in the increased consumption of various articles. He therefore called upon the House not to sanction the continuance of this surplus of 5,000,000*l.* under the delusive idea, that it was necessary to support public faith or strengthen public credit. As long as we were in a condition to pay the public creditor what was due to him, so long would public credit be supported. The credit of the country was never in a more flourishing condition, as far as confidence in its resources went, than in those years when we had, in effect, no surplus whatsoever. From the years 1793 to 1817 we were borrowing every year, had no real sinking fund, and yet, during the whole of that time, public credit was kept up in a manner which had never been exceeded.—The hon. member went on to contend, that it was a blind policy to go on imagining a surplus fund, while there was a deficiency of some millions in the consolidated fund—that it would be wrong to leave any surplus fund which might exist at the disposal of ministers, holding out to them a temptation to divert it from its original purpose. He would leave them nothing. The House had been too confiding already. He hoped, therefore, the chancellor of the exchequer would not press his plan. If they were to have a sinking fund at all, let it be a real one: but he maintained, that we wanted none—that the fundholder wanted no additional security; therefore, the sinking fund would be no relief to them, but the continuance of it would be a real oppression upon that large portion of the community already too much distressed, and who ought in justice to be relieved from their burdens by the amount of this sum. He contended, in reply to the argument of the hon. member for Taunton, that it would be equally unsound policy, to leave this sum as a kind of fund to be used in case of any sudden emergency. If it were to be so kept, how could it be called a fund for the reduction of debt? But, if it was for the reduction of debt, let it be so applied in the proper form, and not allowed to accumulate in the hands of those who would be too ready to dispose of it in another manner. There were many ways of making the surplus applicable to the payment of debt—by cancelling stock, and by redeeming annuities; but, to lay it out in buying up at 80 what we sold at little more than 50, would be absolutely throwing away the public money. It would be the wisest course to let the whole surplus fund go at once to the remission of taxes, and to depend upon the resources of the country, which would thereby be much improved, in case of any future emergency. He trusted the House would go along with him in thinking it absurd to be paying with one hand, and borrowing with the other; but if they did not concur with him in this, he hoped they would not consent to the plan of allowing the whole of the 3,000,000*l.* of sinking fund to remain.

Mr. *Baring* said, he agreed with the hon. member who had just sat down in many of his general observations, but he could not concur in the conclusions which he had drawn from some of them. He could not concur in the opinion, that when we continued to pay part of our debt by a sinking fund, we were going back. He would agree fully, that during the war, our sinking fund was kept up at a loss to the country; but how would this reasoning apply to a state of peace? But even in time of war, there were many who thought, and not without some appearance of reason, that public credit was better supported by a sinking fund, than it could be without it—who imagined, that it would be better maintained by borrowing 35 millions, leaving 5 as a sinking fund to pay the whole, than it would be by borrowing only 30 millions without having a sinking fund at all. He only mentioned this to show that the case was not so clear on the other side as the hon. member had represented it to be. He (Mr. B.) admitted, that the sinking fund during the war was carried on at a loss; but not to the extent which the hon. member had described. He also concurred with the hon. member in thinking, that the system of borrowing with one hand to pay with another, was a bad one; because, if he sold annuities or bills to buy other security, he not only did that, but he did it at a risk of loss; for, in creating a new kind of article, he must know that it was necessary to give an encouragement to purchasers, and to offer terms by which he could not hope to gain much for the country. It would, therefore, be better to turn it over at once to the sinking fund. He trusted the chancellor of the exchequer would not follow the example of his predecessor (of whom, from the respect he entertained for his private character, he did not wish to speak harshly), of giving a fictitious appearance to our resources, and boasting of 5,000,000*l.* of surplus where he had only 3,000,000*l.* But, if we really had this surplus of 5,000,000*l.*, it would be better not to use it in the way now proposed. He was sure the right hon. gentleman would not at present press this plan, if he were not unwilling to cast a slur on former measures by altering it; and no doubt he would hereafter feel obliged to the House, if a strong expression of their opinion, should induce him to depart from it.—He had gone thus far, in concurrence with some of the opinions of his hon. friend who spoke last; but when he came to the question of having a sinking fund or not, he differed widely from him. He denied that it was intended for the benefit of one class to the exclusion of any other. The House, he considered, were bound to do every thing for that most valuable portion of the community, who must stick by the country under all its circumstances. They should be considered, whether we had a surplus fund or not. But when gentlemen talked of allowing no surplus, or no sinking fund, he begged to ask, how it was they would conduct the finances of the country. Suppose they were to take away the 5,000,000*l.*, or, as was asserted (and he concurred in the assertion), the 3,000,000*l.* of sinking fund. What relief could be afforded by that, upon their own showing? It was said by his right hon. friend (Mr. Tierney), and concurred in by almost every member who spoke on the subject, that there should be some surplus. Well, then, if they were to have a million, or a million and a half as a surplus, what could they effect by the remainder of the 3,000,000*l.* of which they spoke? What effectual relief could be given by the application of such a sum in the reduction of taxation? Suppose this sum were thus applied, and that a falling off should take place next year, or the year following, of four or five millions in the revenue, and in his view of affairs nothing was more likely. He did not wish to make any unpleasant forebodings respecting our resources, as he knew the distrust with which they were generally received by government, when they came from his side of the House. He admitted, that our revenue was in a flourishing state at present; but, how did the increase arise? It arose from that, upon which a great deal of our commercial prosperity depended—the state of the currency. The alteration in that currency had diminished the price of most articles of consumption, while the rate of wages was, in many cases, nearly stationary, or at all events had not diminished in the same proportion. The tradesman, the mechanic, and the labourer, found themselves in a comparatively better situation; for he could not agree with his hon. friend (Mr. Ricardo), who, referring to the tables of Mr. Mushett, had stated, that the wages of labour had fallen in proportion to the prices of articles of consumption. He took it, then, to be the fact; and every one who had to deal with mechanics would find, that in most of their charges there was scarcely any diminution—that they had not descended to any thing like the level of the prices of food; and in some of the higher branches of the mechanical arts there had been no reduction at all. The result was, that those who lived by their labour in those arts had more money to spend in gin, beer, tobacco, and other excisable articles; but it would be found, that the income which arose from the operation of taxes on individuals of small fortune declined—that the assessed taxes were diminished. Suppose, then, that this did not continue, but that the prices of all the necessaries of life were to rise considerably in the course of a year or two—a circumstance by no means improbable—was it unreasonable to believe, that there might be a falling off of four or five millions in the revenue? Should that be the case, what would be the situation of the country, after having applied its sinking fund, as the hon. member proposed? He would say, therefore, that the relief from such application of the sinking fund would not be, under the present circumstances, effectual for the removal of the distress which was complained of—that it would be dangerous in the emergency he had contemplated, and fatal, if made at the expense of the credit of the country.—He took this view of the case with reference to our domestic situation; but let it be viewed also in conjunction with the present aspect of foreign affairs. He was one of those who sincerely hoped, that this country might keep at peace; but still, our circumstances were such as might render it necessary for us to make some naval display—to send, perhaps, a fleet to the Mediterranean, or elsewhere. He had no wish, by any remark of this kind, to provoke ministers to any step of the kind alluded to; but the House would see, that it was not at all improbable that such step might be taken. If it should be so, it would of course create a new demand upon our resources; and, with a chance of a falling off in our revenue, such as he had supposed, what would then be our situation? We should have recourse to new taxes, or to a loan. As to new taxes, to impose them on an occasion which might be only of a temporary nature, would be injudicious; because he believed it would be admitted on all hands, that nothing could be more injurious to a commercial country than an uncertainty and unsteadiness in taxation. If we laid on taxes one year which we might have to take off the next, it would, in fact, be holding out a temptation to one portion of the community to cheat the other. What other means were there of meeting the pressing exigency? He would say that there was—that of applying the sinking fund to one of its legitimate uses, by making it meet the exigency, and replacing it upon its usual footing when peace came round again. But, if recourse was had to borrowing, if a loan were contemplated, how could it be expected to be raised, when the only means of supporting the credit of the country had been removed, and that, too, at a time when its greatest operation could be expected in time of peace? If, in a time of peace, we were to make that "equitable adjustment" between the public debtor and creditor, or, as he would term it, that "convenient adjustment" of which we had lately heard so much in certain parts of the country, what might we not look for as its consequences? He did not impute any disposition to support such an adjustment to the hon. member for Aberdeen, for he had at all times found him an advocate for supporting public faith; but it was well known that such a doctrine had found advocates. If it were now to prevail, from whom could we ever afterwards attempt to borrow? To be sure, when one saw the many glaring bubbles to which fools in every part of the country were sometimes found to lend their money, it was not unnatural to suppose that persons would be at all times found to lend something. Perhaps some old woman at Bath, secluded from the commercial world, and not in the habit of making such deep calculations as the hon. member for Aberdeen, might still be found ready to advance her money, relying upon the public faith, of the previous breach of which she would remain ignorant; but the great commercial and monied interest, from whom assistance might be sought in case of a loan, would naturally enough be unwilling to advance their capital where they had before them the example, that no reliance could be placed upon the security offered for its honest repayment. Setting aside, then, the moral atrocity of such an adjustment as he had alluded to, and the dishonest consequences to which it must lead, he would say again, that the most effectual means of supporting the public credit would be to pay willingly in time of peace, the debt which we had borrowed in time of war. Reverting to a new tax in case of emergency, the hon. member again contended, that it would be highly impolitic to impose a tax, in the anticipation of a danger which might blow over as soon as the tax was levied. In conclusion, he cautioned the House not to depart from the sound and steady principle of supporting public credit. He was anxious to support a real sinking fund, arising from a surplus revenue; but as to the right hon. gentleman's plan, of selling annuities for the purpose of purchasing stock, it was of too precarious a nature to be embraced by any man, woman, or child, in the country.

Mr. *T. Wilson* observed, that after the very able manner in which the hon. member had proved the utility of a sinking fund, he would not trouble the House with any remarks on that subject. It was a most absurd position to assert, that we ought not to endeavour to pay off in peace, the debt we had contracted in war. How, in the name of God, could we do otherwise? Were we to set the example of breaking faith with the public creditor, when every country in Europe, at the close of the war, had taken steps to secure the payment of their debts. Were we less able, or were we to be less honest, than they. An hon. member said, that we were paying 166*l.* for every 100*l.* we borrowed. This he denied. We had the option of redeeming or not. We were not in the situation of the Americans, who had contracted to pay a certain rate of interest for a specific time.

Mr. *D. Gilbert* said, that when the sinking fund was invaded by a former chancellor of the exchequer, he had resisted the invasion of it with the same arguments which the hon. member for Portarlington had recently employed. Though the House did not then listen to them, with the attention which it had lately bestowed on the subject, still he had reminded it, that the sinking fund ought not to be attacked at all; because, if it was beneficial in its effects in time of war, it was likely to be still more so in time of peace. He was happy to hear from the present chancellor of the exchequer that the country was to have an efficient sinking fund of 5,000,000*l.* Sure he was, that if that fund was allowed to act, it would be productive of the best results to public credit. He trusted that, if circumstances should hereafter compel us to have recourse to a system of loans, the chancellor of the exchequer would provide a sinking fund of 1 per cent on the amount of every loan. Though he belonged to that class of the community which was suffering under the most severe distress, he must say, that to suppose a remission of two or three million of taxes capable of benefitting that class, as much as the continuance of them would benefit public credit, was to encourage a delusion.

Mr. *Grey Bennet* said, he must oppose the continuance of any thing like a sinking fund in the present circumstances of the country. He was surprised to hear the hon. member assert, that a remission of taxation would afford the people no relief; and that to maintain the contrary doctrine was to encourage a delusion. Why, then, had the chancellor of the exchequer proposed to remit two million of taxes on a former evening? And why had the House hailed that proposition with so much rapture? Was it because the House considered it a delusion, or because it considered it a measure likely to produce beneficial consequences? He believed there were many persons who thought it was a delusion on the part of the right hon. gentleman, to say that he could not repeal a larger amount of taxes than that which he had promised to repeal; but he knew of nobody, except the hon. member, who asserted, that the remission of taxation, even to that extent, would be productive of no benefit to the community. The chancellor of the exchequer had already remitted two million of taxes; and he (Mr. B.) wanted to obtain from him a remission of three million more. Now, though the hon. member might consider the remission of two million of taxes to be a delusion, surely he would not contend, that a remission of five million would be so too. He thought that the tax on candles and upon windows might be entirely repealed, seeing that they pressed most heavily on the poorer classes. Nay, he believed that the beer-tax, that onerous and scandalous tax which was imposed on the poor for the benefit of the rich, might be repealed without any danger to the revenue. The hon. member for Taunton had sneered at all attempts to obtain an equitable adjustment of contracts; and had said, that instead of an "equitable," it ought to be called a "convenient" adjustment. Now, he begged leave to remind that hon. member, that he, too, had once proposed a convenient adjustment of contracts by making silver a legal tender, and that he had proposed it, "to loosen the cord which was then too tight." He agreed with the hon. member at the time in the propriety of changing the standard to silver, nor did he mean to quarrel with him for that proposition at the present moment: all he wished to do was, to remind the hon. member, that if there was any thing dishonest in a "convenient" adjustment of contracts now, there was the same dishonesty in it formerly. The committee had been called upon to support this resolution, almost as if it were a matter of course. He trusted, however, that before gentlemen gave their consent to it, they would recollect, that if they did so, there was an end of any further remission of taxation; at least for this year. True it was, that a resolution like the present had received the support of the House one, two, and even three years ago; but that was no reason why it should receive it at present. It was said, that the interests of the stockholders must be protected. To that he would reply, that the country owed the stockholders no favour: the stockholders had not lent their money to it as a matter of indulgence; but because they thought that they could make the most of it by so doing. He never heard of any loan that was made upon mere patriotic principles, except one, and that was the loyalty loan; and never did subscribers to any loan get so well paid as they had done for their loyalty. He contended, that as long as the stockholders received payment of their interest, all was done by the country that could legally be required of it. Any surplus of revenue that there might be, instead of going to support a sinking fund, ought to be employed in remitting taxation. If, however, there was to be a sinking fund, it ought to be employed in immediately cancelling debt, and ought not to be allowed to accumulate for any chancellor of the exchequer to grasp when he might think it convenient. At any rate, it ought not to be kept, as the hon. member for Taunton recommended, in the coffers of the treasury, either to discharge debt, or, if more convenient, to go to war with. Even if we had not a surplus of more than half a million, instead of having a surplus of five millions, justice to the country demanded that it should be employed in remitting taxation, and not in keeping up an inefficient and useless sinking fund.

Mr. *John Smith* felt compelled to express his dissent from the doctrines of his hon. friend, who had spoken of public credit in terms of such derision. He believed the committee were perfectly clear in their ideas regarding public credit: if they were not so, he would refer them to the excellent description which the hon. member for Taunton had given them of its effects on a former evening. The hon. member had informed the House, that there was a period during the war in which the government was obliged, from a want of public credit, to incur a heavy expense, which, under a better system, it might have avoided. If such was the case, was it not the bounden duty of the committee to support public credit, seeing that every thing which contributed to it tended to produce economy in the government? Admitting as he did the distress of the agricultural interest, he must still contend, that it was necessary to support the sinking fund. The agricultural interest, he maintained, would be the earliest sufferers, if there was any failure in public credit. What would be the consequence, if we, who had been the parents of the sinking fund system, should be the first to destroy it?

Would it not immediately frighten the community? And if such would be its effects, would it be proper, when it was possible for our capitalists to obtain a high interest for their money by investing it in foreign funds, to shake that system? He thought not, and for that reason should support the resolutions.

Mr. *Hume* was sorry that the system of sinking funds had ever been adopted in this country; and felt sure, that every country which followed our example, would, ere long, have the same reasons for repentance. From the facility of borrowing came a profusion of expenditure, and a total neglect of any thing like economy. Had it not been for the facility with which the government had obtained loans, whenever it wanted them, we should never have had such a wasteful expenditure of our resources.

Mr. *Baring* was convinced, that the evils which had lately befallen one of the leading interests of the country were mainly attributable to the change in the currency. When he had proposed silver as a proper standard, he had done so, because he conceived it to be the best and most practicable standard to which the country could recur. Even now, he was of the same opinion, though he was aware that, after the standard had been fixed for so many years, it would be extremely inconvenient to change it again.

The first and second resolutions were agreed to. On the third resolution being put, Mr. Hume moved, as an amendment, "That in the opinion of the committee it is inexpedient, in the present circumstances of the country, to maintain the whole of the real sinking fund of three millions; and that it will afford an immediate relief to the country to repeal taxes to the amount of two millions thereof." Upon this amendment, the committee, after a short conversation, divided: For the Amendment, 39. For the Original Resolution, 110.

List of the Minority.

Allan, J. H.
Bernal, Ralph
Bright, H.
Calcraft, J.
Chamberlayne, W.
Creevey, T.
Craddock, col.
Davies, T.
De Crespigny, sir W.
Denman, T.
Dickinson, W.
Ellice, E.
Glenarchy, visc.
Grattan, J.
Griffith, J. W.
Hamilton, lord A.
Hobhouse, J. C.
Hume, J.
James, W.
Lamb, hon. G.
Lennard, T. B.
Leycester, N.
Lushington, S.
Maxwell, J.
Monck, J. B.
Moore, P.
O'Grady, S.
Pelham, J. C.
Philips, G. H. jun.
Price, Robert
Poyntz, Wm. S.
Pryse, P.
Ricardo, D.
Robarts, A. W.
Robinson, sir G.
Talbot, R. W.
Tierney, G.
White, L.
Wood, M.

TELLER.

Bennet, hon. H. G.

The remainder of the resolutions were then agreed to.

COMBINATION OF WORKMEN.]—Mr. Peter Moore moved for leave to bring in a bill "to amend the laws against the Combination of Workmen."

Mr. *Maxwell*, in seconding the motion, returned thanks to the hon. member for taking up the case of the poor manufacturer and artisan. It was needless to comment upon a law which bound the employed, and left the employer free as air; and which gave protection to wealth and power, by withdrawing it from poverty and weakness. If the administration would assist in repealing laws which were effective only on the feeble, they would do more for their own credit, for the satisfaction of the people, and for the good of the community, than they had done during the two last parliaments.

Mr. *Huskisson* said, the subject which the hon. gentleman proposed to bring under the consideration of the House, was a very important one, and much deliberation would be necessary before any gentleman could pledge himself to support such a measure. He trusted that when the hon. member should have brought in the bill in as perfect a state as possible, he would postpone it for a convenient period, in order to afford the House an opportunity of duly considering its provisions.

Mr. Secretary *Peel* could not see why the hon. member should not have entered into some detailed statement of the measure which he intended to bring forward.

Mr. *P. Moore* said, he had no objection to gratify the right hon. secretary with a longer speech. His measure would embrace three objects; first, to bring back a great number of eminent artificers from the continent; secondly, to effect a better distribution of the profits of labour between the employers and the employed; and thirdly, to facilitate the means of recovering debts and deciding suits between artificers and their employers. He had been under the necessity of wading through no fewer than 28 acts of parliament in order to arrive at a correct view of this subject; but he trusted he should be able to condense the matter very much when he made his statement to the House. He wished no person to be committed by any previous pledge; for he desired no support which should not be founded on the merits of the bill.

Leave was given to bring in the bill.

HOUSE OF COMMONS.

Tuesday, March 4.

Poor Laws.]—Mr. *Nolan* moved for leave to bring in a bill, for amending the laws relating to the maintenance and employment of the poor. The principles upon which the amendments he should propose were founded, were nearly the same as those he had submitted to the House last session. There were some trifling differences between the alterations he had now to propose, and those of his former motion; but he did not think fit to explain them now, as the second reading of the bill would afford a better opportunity for discussing the subject in all its forms.

Colonel *Wood* took the opportunity of stating, that he should submit for the approbation of the House the resolutions he had proposed last session. As, however, he understood from his learned friend, that it would be inconvenient for him to be in his place until after the circuit, he should not call the attention of the House to this subject until that period. He understood the object of the bill was to provide some further coercion, by which the poorer classes would be prevented from applying for parochial assistance. To this he would never consent. The people of England had so much good temper, that they could be easily led; but they had so much high spirit, that the attempt to drive them would be as impracticable as it would be unjust.

Leave was given to bring in the bill.

Church Establishment of Ireland.]—Mr. *Hume*, in rising to make his proposed motion relative to the Church Establishment of Irelend, assured the House, that he felt most deeply the difficulty of the subject; but, as no other member appeared to take the same view of the question that he entertained, he felt it necessary to come forward and state what that view was. He must, however, claim from the House some degree of indulgence, if, in consequence of the importance of the subject, and the peculiar view he took of it, he should be obliged to go into rather a diffuse statement, and to request their attention for a considerable time. He no doubt should be told, that the present time was not suited to the discussion of the subject, and that he ought to have waited, for the purpose of ascertaining what measures his majesty's ministers meant to introduce on the subject of tithes. To this he would answer, that he was only carrying into effect the notice he had given in the last session of parliament, and that he had, on the first day of the present session, given notice that he would bring on the question this day, which was the latest he could select: he had given such early notice, and he had selected this day for the purpose of affording as many Irish members as possible, an opportunity of attending this discussion. Ministers had had an entire month's notice of his intention: if, therefore, they had wished to anticipate him, they were at full liberty to have done so.

It was impossible they could agree to any proposition relative to the church, unless they previously agreed on the definition of the word "church." They very often heard the expression of church and state. They were constantly told, that the state could not exist without the church, nor the church without the state. Now, he would ask, what did the word "church" here mean? Some persons applied the term church to the clergy; others to a community who were of one persuasion, and joined in one form of worship. It was, therefore, important, in his view of the question, to decide, whether, by the term church, was meant the clergy or the community. The Apostle Paul, the oldest and the most undoubted authority, applied the word church to a communion of persons holding the same belief. There was no authority in Scripture for any other interpretation to be put on the word church. He was satisfied, the more they considered the subject, the more they would be inclined to think, that the term "church" ought to be applied to the whole of the community—to the great body of persons who were of the same religious persuasion. If the reform which he proposed would benefit that community, he hoped he should not be accused of endeavouring to injure the church. He wished always to be understood as speaking of the church of Ireland as a community contradistinguished from that of the people at large [Hear, hear!]. The House, in looking to the church, must be well aware, that there was no precise authority in the Scriptures, for any particular church establishment: it was altogether a civil institution, the creature of the law, and by every rule of reason, the same authority that created could alter, nay, even annul it altogether. At the period of the Revolution, the legislature established our present form of worship; and as it provided for the performance of certain duties, it assigned certain allowances to those who discharged them. If it were said, that the property at present possessed by the church was as ancient in its tenure as any other property in the state, he would deny the assertion. It was not so. The property now in the possession of the Protestant establishment, was originally granted to a Catholic establishment, and was only transferred to its present possessors. He hoped, therefore, he should not be met with the too common cry of intending to destroy the sacred tenure of property, to deprive the clergy of possessions which they enjoyed as others did their hereditary property, and by co-equal, if not antecedent title. He would deny that church property stood upon any such title. It was indisputable, that the property enjoyed by the bishops, deans, and chapters, of the Protestant church, was that which had been previously held by the Catholic church, and was transferred at the time of the Reformation. How, then, could it be said, that those revenues were unalienably appropriated? They had been diverted already by the legislature, from one set of men to another, and might again receive a new destination. But, then, it might be said, a great deal of this was lay property, and vested for various sacred and charitable purposes. Whatever distinction might be taken as to parts of this property, he was prepared, as a general principle, to deny that church property was in any manner held by the same valid title as that inherited by any private gentleman in the country. The latter was held in perpetuity by the individual and his family, and under their sole and absolute control. Was that the case with the church? No. The church property was assigned for the performance of specific duties, for a limited period, and revocable, under a variety of circumstances. A gentleman's private estate was not so placed. He could only forfeit it, by incurring the penalties of high treason: but church property was every day revocable, for various causes, even from the bishops themselves; for instance, the other day, they divested the bishop of Clogher of his see and revenues. How, then, could this property be placed on an equal footing with that of a private individual? There was no similarity in the two cases.

It was to the principle of the claim that he wished to direct their attention, and to show that, by the constitution of the church, the whole of the clergy had duties to perform, and, in the failure of their performance, it was no longer intended they should enjoy their emoluments. A most important part of these duties was the "cure of souls;" and he should be glad to know how this cure of souls could be effected in a parish in Ireland, by a clergyman or church dignitary, who sojourned constantly at Bath, at Cheltenham, at Paris, or at Rome? If the thing were impossible, would the House continue to sanction this desertion of a sacred duty, and abstain from visiting those by whom it was practised with the forfeiture which they had incurred? But he had been told, that church property was wholly inalienable; that, in fact, it could not be assimilated to any other description of property. Why? What difference was there, in many points, between the income of the army and navy and the property of the church? What would parliament say, if, when they proceeded to reduce the naval and military establishments, the officers of the army and navy were to adopt the language now held by the church, and claim the income they received for a particular duty, as a perpetual and unconditional assignment? And yet it would be as just a claim as that of the church, and equally lawful. But it might be said, that the pay of the army and navy was not property, but income. So was the salary of the clergyman. It was income; to be enjoyed, like that of the naval or military officer, only while he continued to perform his duty. Had there not been occasional examples of the dismissal of individuals from the church, in consequence of misconduct or moral offence? Did not that prove that the clergy, as well as naval and military officers, were expected to perform duties? If, then, they were placed in the eye of the law in the same situation as regarded duties, why were they not to be placed in the same situation as regarded remuneration? Originally, every soldier held by the feudal tenures a portion of land for his maintenance. At that period he had precisely the same right to his land as the clergyman had to his at the present day. Where was the difference? If, in the one case, the possession of the land ceased when the service was no longer required; why, in the other case, should the possession of the land be continued if the service was no longer performed? If our officers were to exclaim, "Don't meddle with our pay; let us pass it to our successors;" what would the House say to them? When first a quantity of land and certain tithes were apportioned to the catholic church for the maintenance of the clergy, and for other purposes, it never was contemplated that they would become so excessive. The legislature, no doubt, intended to confer upon the church an adequate establishment; but, did it intend more? If, then, the course of time had increased the value of the property so given beyond all just or reasonable proportion, was it not competent for the legislature to resume that part which could not be fairly used according to the original intention of the grant? It was the practice of the legislature to meddle with other property when diverted from its original appropriation; and why not with that of the church? What was there in church property that prohibited parliament from legislating with regard to it? In his view, there was no difference whatever.

The real question, then, was—whether the proportion of the production of the soil assigned to the church, for the performance of specific duties, was too small or too great? If too small, let an addition be made to it: if too great, let the excess be taken away. To subtract from the church property, or meddle with it, was no new principle; it had been often done, at various periods of history, from the reign of Henry 8th downwards. Was there not in the case of the Land-Tax bill, an interference on the part of the legislature, authorizing the sale of a part of the church property for purposes of state? If that property was so sacred as some persons declared it to be, why had a single yard of it been touched by parliament! Had not parliament, by the Curates' bill, taken a part of the income of rectors and vicars? But, the fact was, that that property had always been considered under the command and control of parliament, which had the power of doing with it whatever it chose. That parliament had the power of alienating the church property was perfectly clear, from a variety of precedents. Had not parliament already changed the religion of the country from Catholicism to Protestantism? Had they not established by law all the existing bishops, deans, chapters, and their paraphernalia? Having had the power to do that, they had unquestionably the power to change the present religion, if they thought proper so to do. There could not be a doubt on the matter. Having exercised their power twice in that respect, what was there to prevent their exercising it a third time? Suppose parliament should determine that the established religion of the land should be no longer Protestantism, but Quakerism; suppose that House were to become a House of Quakers, and were to declare, that Quakerism should be the religion of the state—what must be the consequence? What would then become of the present possessors of the church property? The Quakers had no clergy, no bishops, deans, chapters, cathedrals, or church freeholds!—In the event of the establishment of Quakerism, what then would become of the freeholds which the clergy now possessed? Those who had them at the time might be allowed (looking at them as a kind of vested rights) to hold them during their lives; but, as it was the principle of Quakerism, that no individual should be paid for his religious labours, he should be glad to know what would become of the great mass of church property? Would it be allowed to fall into disuse? Or would not government resume it, and apply it to any purpose to which parliament might think proper to devote it? He put this forward in order to meet any objection respecting interference with church property; and he particularly begged the right hon. gentlemen opposite to tell him, if the nation were all to become Quakers, what would become of the property of the church? Unquestionably, it would be at the disposal of parliament. Unquestionably, if the legislature had the power to become Quakers themselves, and to declare, that Quakerism should be the established religion of the country, they had the power to deal with the present established church property according to their discretion.

The next question was, as to the amount of this species of property, the uses to which it was intended, the manner of its actual application, and whether it was sufficient or more than sufficient for the object. Upon the principle of legislative interference in its regulation, there could not now, he thought, be the smallest doubt.

It was the opinion, not of one, but of many distinguished persons, that the remuneration was insufficient in some cases, and excessive in others. Bishop Watson was decidedly of that opinion; and his argument on the subject had remained unanswered. It was bishop Watson's proposal, that to increase the incomes of the poor clergy, so that no individual should have less than 100*l.* per annum, a third of the value of all prebends should be appropriated as they fell vacant; and he expressed his conviction, that the end would be much sooner accomplished by that means than by any operation of queen Anne's bounty. To that proposal no answer had ever been made. But he (Mr. Hume) believed, that two prebends which had fallen vacant, had been appropriated to the repairs of a cathedral; and it was undoubted, that there had been other instances of interference with church property for similar purposes. There were many acts in the Statute book, the principal object of which was to prevent the clergy from robbing the church. He repeated it—the principal object of those acts, was by registry and other means, to prevent the alienation of the church property by the clergy. So completely had the practice of the clergy themselves, in past times, confirmed the principle which he had been laying down. He had found in Selden, that it was by no means uncommon for clergymen to sell tithes and other church property to laymen for ever. If, therefore, any precedents were necessary for the measure which he was about to propose, they existed in abundance; but he maintained, that precedent was unnecessary; and that it was only necessary to appeal to the good sense of parliament, to induce them to inquire how far the present funds appropriated to the support of the religious establishment in Ireland were or were not more than adequate to that purpose.

He now came to a very important consideration—the extent of the church establishment of Ireland, for the duties it had to perform. He regretted extremely, that when the census of that country was recently taken, the proportion which existed between the individuals belonging to the established Protestant church, and the individuals who professed other religions, had not been accurately ascertained. It was the opinion, however, of various persons who had travelled over Ireland, and who had inquired very closely into this subject, that if the whole of the population of Ireland, which, according to the last census, amounted to 6,800,000, were divided into fourteenths, the members of the established Protestant church, would be found to be only about 1-14th, or 490,000. The Protestant Presbyterian Dissenters amounted nearly to another 14th; and the remainder, about 5,900,000, were Catholics. This being the state of the population of Ireland, the next point was, to consider the pecuniary means enjoyed by the established church, for the religious instruction of their flocks. What was the present establishment of the Irish church. As far as he had been able to ascertain the present establishment of the sees of the Irish church, it was as follows:—archbishops and bishops 22, deans 33, dignitaries 108, prebendaries 178, rural deans 107, vicars choral 52, choristers 20; in number 520 persons; besides officers of the consistorial courts 175. Could it possibly be necessary to have two and twenty bishops, and so many deans, dignitaries, prebendaries, &c. for the purpose of superintending only 1,289 benefices; the number in Ireland, according to the return of 1819? Whether they looked to England, or to any other country, they would not find any thing like a parallel for such an establishment. The House were bound in duty to consider whether that establishment was too great or not. If it was clearly too great for the portion of the community to which it belonged, why not reduce it? They had reduced the army, the navy, and a variety of civilians, because the establishments were too large, and the means of the country inadequate for their maintenance. Why not, in the same manner, and for the same reason, reduce useless bishops and deans, and establishments for cathedrals in Ireland. If it were necessary to have so many cathedral churches, why would not one clergyman, with his curate, be sufficient for each of them? Why maintain five hundred useless individuals, living in idleness, and living on the public? These were no times for drones. We wanted an active community. Every man, of whatever station and condition, ought to exert himself for the benefit of the country. Under these circumstances, was it fitting that the public property should be wasted in the support of a useless church establishment? He had no hesitation in declaring, on the maturest consideration, and after the fullest information he had been able to obtain, of all the duties performed by these deans and chapters in Ireland, that their services might be immediately and entirely dispensed with. He knew that in making such a declaration, he was laying himself open to a serious charge; but he made it with a most conscientious feeling, that, in declaring the truth, he was doing right [Hear, hear!]. If there was any one measure better calculated than another to tranquillize and benefit that unfortunate country, Ireland, he was persuaded that it was a reform in the church establishment, and every thing connected with it. [Hear!] He might be sanguine on the subject, as all who kept one object steadily in view for any considerable length of time generally were; but he did not call on the House to consent to any particular proposition; he only asked them to consider, whether what he had alleged was true or not? If it should turn out on inquiry, that the church establishment in Ireland would admit of considerable reduction, he thought parliament were bound to reduce it, on the same principle as that which had induced them to reduce every other establishment which appeared to be larger than the necessities of the public service required. It was unjust and cruel to those branches of the public service which had been reduced, to omit the church in the pursuit of economical measures, and more especially when they considered, that a great portion of the Irish clergy did little or nothing for their incomes.

With respect to the exact amount of public property absorbed by the church of Ireland, it was impossible to estimate it, unless access were had to the bishops' courts. No man who was not in the secrets of the bishops' records could guess at the real amount of the property, even within a million. He had, however, availed himself of the best opinions which he could obtain on the subject. He had especially referred to the works of Mr. Wakefield, who had taken great pains, in his statistical inquiries in Ireland, where he had sojourned, not as a hasty traveller, but for years, and with access to considerable information; he had been assisted by an individual who had taken infinite pains upon the subject, an old and intelligent member of parliament. He (Mr. Hume) had also availed himself, in the course of his researches into the subject, of the separate accounts that had been published of the different counties of Ireland; and, on the whole, therefore, he thought he could show pretty nearly how the fact stood. If the whole surface of Ireland were estimated at fourteen millions of Irish, or eighten millions of English acres, there was reason to believe, that the bishops, deans, and chapters possessed a proportion equal to nearly two-elevenths of the whole surface, cultivated and wild. And here he would observe, by the way, that a large portion of the land in the hands of the church, and generally known as "bishops' lands," was uncultivated, which there was every reason to suppose would be cultivated if in other hands; so that here the public sustained a double loss—a loss of the land in the first instance, for a useless establishment, and a loss of its productiveness, from neglect of cultivation, in the second. If the whole rental of Ireland were taken at the amount at which it had been estimated by Mr. Wakefield, averaging the rental of the several counties—an estimate which several Irishmen to whom he had submitted it, had declared it to be, in their opinion, as fair as it was possible to make without a particular survey—it would appear to be about 14,000,000*l.* Two-elevenths of that sum, meaning the church property, would be equal to about 2,500,000*l.* If the tithes of the 1,289 benefices were valued at only 500*l.* each (although in some cases they amounted to 1,000*l.*, 2,000*l.*, 3,000*l.*, and even 4,000*l.*, and in few less than 500*l.*), that would give an additional sum of about 700,000*l.* or about 3,200,000*l.*, which might be considered the present annual revenue in the hands of the Protestant church establishment of Ireland. Now, he would ask the House whether it was consistent, that individuals who had so little to do should be allowed to enjoy so large a share of the public property? He wished always to be understood as speaking with attention to the rights of those now in possession. He did not wish to injure, to the amount of one farthing, any one of the present possessors. All the changes which he contemplated on this subject, he wished to take place with the most scrupulous attention to vested interests; and on this point he was particularly anxious not to be misunderstood.

Now, with respect to the property of the church, which was shown to be so immense, it was fit to consider, in the next place, how it was applied. He would ask, were those three millions divided among the labourers in the vineyard? Were they made a fund of remuneration for the pious and assiduous curates, the clergy who really attended to their cures, and presided over the moral instruction of the people? No such thing. And he believed he should be able to bring this matter home to the feelings of gentlemen, by laying on the table, whenever the House allowed him, a return of the names and numbers of the curates in Ireland, with the amount of years they had served, and the portion of salary allotted to them for their laborious services. This return would show the amount of stipends, and how very rare an occurrence was the promotion of an Irish curate. He had by him returns from two of the dioceses of that kingdom, and it appeared, that, during the last ten years, only two or three curates had been promoted, as incumbents, in both those dioceses. Whether this statement was correct or not, it was impossible for him to tell; because, the only dependence that could be placed must be on official documents. There were, however, many Irish members in the House, who were doubtless enabled to say, from their own information and experience, whether he was correct in the opinion he had formed on that subject. It was certain, however, that the apportionment of the revenue of the church was most unequally made; but there was a difficulty in ascertaining the real distribution. For instance, the primate, who was archbishop of Armagh, was stated to derive between 15 and 20,000*l.* a-year in money from his see; but there was besides a great deal of land leased out at low rents to individuals, and thus many persons were largely enjoying the property of the church. It was very much the practice with the bishops to let the church land, on the small and antiquated rent, to their immediate connexions and friends. Some, indeed, he was aware, by running their lives against the holders, had got possession of vast tracts of land, and were thereby enabled to let it to their friends and relations. As to the practice of the bishops in providing for their connexions and friends, at the expense of the church, he did not blame them, but he blamed the system; and he put it to the House, whether the former ought to be so situated, as that their interest should be almost necessarily placed at variance with their duty? In his opinion, interest and duty, in such cases, should always go hand in hand together; but, such a result was impossible, if the bishops of Ireland were to have powers and licences that were contrary to the stipulations of repeated acts of parliament. Such had been the conduct of the Irish ministers, that, instead of being on the spot, to perform their sacred duties, as the various acts of parliament required them to be, they had, in a considerable degree, absented themselves from their livings, and left their duties to be performed by others, for very scanty pittances indeed, while they who enjoyed the vast salaries were to be found every where, but where duty was to be done [Hear, hear!].

It might be satisfactory to know the number of resident and non-resident incumbents in Ireland. The last return which he had been able to procure was made for 1818, and was contained in the parliamentary paper, No. 580, of 1819. In 1818, the total incumbents were 1,289; viz.

Resident..................		758
Non-resident by exemption	81	
Ditto by dispensation....	243	
Without statement for what	157	
Miscellaneous...........	50	581
Total........		1,289

In Dublin there were now 30 dignitaries and prebends, besides the above, without residence [Hear!]. The hon. member then stated, that he had, exclusive of the general statement which he had already given, made out a statement of the residents and non-residents in each diocese; but, to give the House an idea of the average amount throughout Ireland, it would be sufficient to mention one diocese. In the diocese of Waterford and Lismore, it appeared, in one of the pages in the large volume that lay beside him, there were, at the date of the return, resident incumbents 4, absent 19; resident vicars 13, absent 13; resident curates 1; making a total, resident 18, absent 32; and of this number 11 were pluralists and 3 sinecurists. He did contend that this statement was highly material. He believed, that every individual who heard him must be aware, that the beneficed clergy of the established church of Ireland in particular, were known to wander abroad from their benefices without any solicitude about the condition of their flocks. He was quite sure that nobody could visit any place of public amusement in this, or perhaps any other country in Europe, without finding there a much larger number of the Irish clergy, than either the interests of religion or their own functions would seem to require. Now, the present administration had said as much about their anxiety to support religion and morals as any administration that ever sat in that House. He had no reason to doubt the sincerity of their expressions; but if they were so, how could they reconcile their professions with their practice, when they took no step to remove such an abuse as that he had pointed out? and, therefore, he called upon them to put it down. He considered, that no person in the church should be allowed to be non-resident, except from illness, or special permission. For the propriety of such an arrangement, he begged to advert to the case of Scotland, where, principally through the advantage and by the exertions of a resident clergy, the morals of the people had been so much improved. He would refer to the well-known authority of Fletcher of Saltoun, for some account of what the moral state of Scotland was about a hundred years ago. Ireland at this day was not worse than Scotland was admitted to have been at that time, before the establishment of her parochial schools, and the residence of her clergy. In every alteration that might be made in the church government of Ireland, residence ought to be made a *sine quâ non* in regard to every incumbent. No person could be a real friend of Ireland, who would encourage or support such a system of non-residence as had prevailed in Ireland for the last fifty years. Upon all her real friends, as well as upon his majesty's ministers, it was incumbent no longer to tolerate it; and he thought that they had no right to come down to the House and complain of the state that country was in, or to ask for further military and civil power to keep her population down, so long as they permitted such a system to vex and disturb that degraded kingdom, and did not avail themselves of the legitimate measures in their possession. Though that country was so forlorn and so degraded, he was quite convinced that its natives, when instructed, were capable of enjoying, as usefully as others, the benefits of a rational liberty; for, when fortunate enough to escape from the ignorance that oppressed them, they had shown themselves in the first ranks of intellect and civilization wherever they were found. Let them, then, have the same advantages as England and Scotland, and he believed there would be nothing found in the principles of Irishmen, which would prevent their country from rising above the state of barbarism in which it was at present placed [Hear, hear!]. No country, indeed, of Europe was in a condition so truly barbarous, unless perhaps Poland; and he doubted if even Poland made an exception. That country was thus, like Ireland, debased and degraded by the neglect of government. And here he could not forbear his humble tribute of applause to those generous individuals who had stepped forward in behalf of Ireland, at their own expense, to establish schools for the education of her poor. But this noble undertaking ought not to have been left to individuals to embark in; for the government ought to have originated it [Cheers.]

He had now stated all that ought to be necessary to the House, as to the practice and principle of non-residency. If government had not positively encouraged those evils which desolated Ireland, their negligence led to their existence; and much evil might be done by omission as well as by commission. Ministers ought to have come forward long ago, to propose and carry into effect, something effectual for the amelioration and improvement of Ireland, instead of supporting a military establishment which cost the public two millions, for the purpose of keeping in barbarous subjection, a people whom they ought to teach how to rise in intelligence, and to understand and enjoy a constitution, which they were told was the pride and envy of the world. As the case stood at present, he was sure they could not find a single Irishman who would say, that the constitution, as it was known in Ireland, was the pride and envy of the world [Hear, hear!]. No: it was a mockery of humanity and common sense; and, in his (Mr. H.'s) opinion, the state of the country was greatly attributable to the condition of the church establishment. As it was with a view to ameliorate the condition of Ireland that he should bring forward his propositions, he called on the House to interfere: and he premised, that the first measure he should suggest would be to compel the residence of the clergy. The next would be, that instead of any individuals being allowed to derive from their benefices large incomes of 1,000*l.*, 2,000*l.*, or 3,000*l.* a-year, and to reside, at pleasure, here or there, they should all be obliged to reside on their livings, upon stipends, for the model of which he would recommend those of the clergy of Scotland, the lowest of which was about 150*l.*, and the highest 500*l.* or 600*l.* per annum. Dr. Adam Smith, in his book on "Church Establishments," had observed, what was very true, that "the proper performance of every service seems to require that its payment or recompense should be as exactly as possible apportioned to the nature of the service. If any service is greatly underpaid, it is very apt to suffer by the meanness or incapacity of those who are appointed to serve. If it is very much overpaid, on the other hand, it is apt to suffer still more from the neglect or remissness of those who are employed in it. A man of large revenue, whatever may be his character or profession, thinks he ought to live like other men of large revenue; and spends accordingly a part of his time and possessions in vanity and luxury. But a clergyman, by this course, not only dishonours the profession he should most carefully sustain, but, in the eyes of common people, he deserts that character which can alone enable him to perform his duties with their proper effect." [Hear, hear!]. Now, he (Mr. Hume) begged to ask, whether any collection of sentiments could more precisely state the case now before the House? Most unfortunately the working curates of Ireland were miserably underpaid; and, what was the case with the other clergymen? They were vastly overpaid, to a degree indeed of which no other church in the world perhaps could furnish a parallel. He blamed not the clergy for this, it was the system or establishment he complained of, and it was the duty of parliament to regulate that: if those large salaries were offered them, it was very natural that they should accept them. The effect of that system must always be felt mischievously while livings were given by parliamentary interest, by family interest, and on various other accounts, independent of the merits and services of the party [Hear, hear!]. His opinion, however, was, that in all institutions, utility should be the main object, and in the church establishment, as well as in others, the great principle should be utility. Their arrangements should always have that end in view. It never could be expected, that a clergyman with 2 or 3,000*l.* a year, should deny himself the pleasures which such an income could procure; and it was still less to be expected, that the habits generated by such indulgence should ever be consistent with the discharge of the sacred duties which the church ought to require, and society expect [Hear, hear!].

He then proceeded to state, that a large part of the revenue of the bishops arose from the fines paid by individuals on the renewal of their leases, while the income to which they were otherwise entitled enabled them to live in great pomp and luxury without the aid of such fines. But the church in Ireland was considered a lottery, and which benefices and bishopricks were prizes, and some families were fortunate enough to draw a great number of such prizes. He understood that the bishop of Clogher (he did not mean the late bishop of Clogher) had gone to Ireland without a shilling, and in the course of his apostolic mission of a few years, had amassed about 2 or 300,000*l.* [Hear]! The amount was very large, but it was notorious at the time. The amount of the money income of the bishops was no just criterion of the real value of the church property of each see; as all such property was let at nominal rents, made up, as already stated, by fines paid for renewals. He would state an example, and his authority was Mr. Wakefield, that the property at present belonging to the primate of Ireland, as archbishop of Armagh, if it were now let out as other lands were, would nett 150,000*l.* per annum—the income of a German sovereign prince, or rather, as an hon. friend behind him suggested, of several German sovereign princes. Surely it was inconsistent with any professions of economy, that such large portions of public money should be devoted to the use of any one bishop whatever his duties might be. He did think that an inquiry, at least, should be instituted, to ascertain whether that statement was correct or not, without pledging the House to the adoption of any specific measure ultimately; and he would therefore state to the House some additional reasons, why he would move for a committee. In the year 1806, when the duke of Bedford went over to Ireland, he directed returns to be made by all the Irish bishops, of the extent of the different livings within their dioceses, and of their respective values. A very large volume was returned; but it was found to be in its contents so defective, that little or no use could be made of it. Indeed, there were scarcely any data furnished by it, upon which it would have been possible for any specific measure to have proceeded. Several years afterwards, government directed similar returns to be made. These returns were laid upon the table of the House in 1820. They contained a variety of particulars; but they stopped short at many of the most important points upon which they were directed to report. They no where stated what he was most anxious to know, the exact revenue of the bishops; nor what amount their property, and that of the deans and chapters, produced. Indeed, the whole returns were so very defective, that out of the 1,289 benefices, it appeared from his abstract of them, that only 400 were transmitted, tolerably complete, and 800 were very deficient. It was, therefore, impossible to trust any longer to the statements of the clergy solely. Another reason upon which he was anxious to press for the committee was founded on a letter, dated Nov. 5, 1819, written by the primate to the lord lieutenant, and prefixed to the volume of returns, in which he noticed the lamentable decay into which the churches had fallen, although on inquiry it would be seen, that there were ample funds for sustaining them. It also stated their condition at the time of the Union, and the state in which they now were. It set forth, "that certain parishes having been united, the difficulty of disuniting them every day increased; that some of the glebes were possessed, and the rates and revenues received by laymen; that, indeed, the state of the churches and clergy of Ireland was but little known to the empire, and had been strangely misrepresented." If this was the fact, that the state of the Irish church had been strangely misrepresented, what better course could there be than to appoint a committee to inquire, and clear away that misrepresentation? [Hear!]. In truth, after these statements of the archbishop of Armagh, it was impossible for that House, consistently with its duty, to refuse going into an inquiry upon them.

He now came to another important point; but which would greatly facilitate the changes he should propose. He might shortly state what the arrangements were that he thought the interests of the country would require. He would propose, that no more Irish bishops should be appointed to the sees, as they became vacant, until the present number should be reduced to one archbishop and four bishops; and the reason why he selected that number was, that at the Union, his majesty's government thought that four bishops were sufficient, for the representation of the church of Ireland, in the House of Lords, and this was surely a fair criterion for him to proceed by. He thought that one archbishop and four bishops would be amply sufficient to do all the duty. The whole five together would have the care of about 500,000 souls; a proportion of 100,000 to each of them. And this proportion was by no means so great as in many other parts of Europe fell to the share of prelates. Spain, perhaps, might be an exception; but in any other part of the continent it would be admitted, that one bishop was able to take charge of a flock of 100,000.

The next subject that he should advert to, involved that which might be considered as a great obstacle to the immediate object of his proposition. As it appeared, from the best information he had been able to obtain, that the Irish deans and chapters had no duty whatever to perform, the whole of them ought, in accordance with his plan, to be allowed to die off [A laugh]. In the event of the House granting the committee, it would be their duty, after proof of the assertions he had made, and in adherence to those professions which parliament had made, of rigid economy, to request, that his majesty would not permit any vacancies to be filled up for any one of these deaneries and chapters as the present incumbents might die off. At present the incomes of the benefices in Ireland were very different, and he knew a difficulty presented itself with respect to their equalization. But that difficulty was not so great as it at first appeared to be. The patronage was a vested right; but perhaps a better understanding of the state of that patronage might considerably diminish the difficulty. The hon. member then read a statement of the patronage of Ireland, taken from Dr. Beaufort's Memoir of 1792, as the most correct one before the public, as follows:

In the gift of the bishops	1,391
Do. of the crown	293
Total in the gift of the crown and bishops	1,684
In lay hands	367
In University	21
Impropriate and vacant, and without churches or Incumbents	95
The total number of parishes in Ireland by that statement are	2,244
And the total number of benefices in 1818 are stated at	1,289

By this statement it appeared that, in point of fact, the crown had the patronage of 1,684 parishes [A laugh]. He contended that the case was virtually so, for if the crown did not appoint the bishops, the bishops could not make the nomination, and the crown would of course have to appoint; so that the patronage was really vested in the crown, which materially lessened the difficulty as to the equalization of benefices by parliament.—As to any objections which might be taken to this part of his proposition, he concluded that these abuses in the church of Ireland ought to be remedied, in any way that the interests of the community and the cause of religion required; but he begged it might be distinctly understood, that the present incumbents were not to suffer the loss of one farthing by the change. An immediate change might be made, and the rights of the incumbents might be secured, either through the appointment of commissioners, or of juries properly selected, to try the question of their respective interests, and their relative value.

He now came to the important question of the tithes; but he should be rather abusing the patience and indulgence of the House, if he attempted to lay before them, in any detail, the abuses which existed in respect of tithes. He thought, as the subject was to be brought forward in a few days by his majesty's ministers, the House, by common consent, would excuse him from stating any other facts, of which he had an ample store, connected with this subject. It was impossible for them to turn their attention to this subject, without being overwhelmed with evidence on a matter so full of complicated evils as this was. He should, however, state, that the commutation of tithes to which his resolutions would go, was not that sort of commutation under which the individual who had little or no duty to perform would receive for such performance, as heretofore, 1,000*l.*, 2,000*l.*, or 3,000*l.* a year. But although he wished that the present actual incumbents should receive the full amount of their tithes, during their lives, he wished that their successors should be paid according to the duty each would have to perform. He would propose, that the income from the property of the bishops, the deans, and chapters, should form a fund at the direction of parliament, from which the clergy should be paid according to the duties they performed. That the payers of tithes should have the privilege of commuting their tithes at 12 or 13 years purchase, instead of 25 years value; and that all such sums should go to the clerical fund for the support of the clergy. A boon would thus be given to the land owners, and the fund would be ample for the maintenance of the church.—To those who were lay impropriators, whatever was the value of their tithes, should be as fully made up to them as if they were sold in the public market, or treated for by private contract. He would wish them, in short, to stand in as good a situation as they now were; by having their interests so taken care of, that they should lose nothing. If no actual interest were infringed upon, what injustice could be done? If an ample property could be realized to the church to defray the expenses of its establishment, why should there be any severe pressure upon the landed interest? The principle which he advocated was not novel: there were instances on record, and he should allude to one of them now, to show its practicability; but it was not necessary to enter into the details. In Tuscany, the grand duke, on the abolition of the Jesuits, appropriated the income of that order to form a fund for the payment of the clergy. As the incumbents of benefices died, the land owners were allowed to commute the tithes payable to the clergymen for a certain number of years purchase, paid to the general fund; and every new incumbent was paid a salary from the fund, instead of the tithes which his predecessor had received. In that manner the tithes had been altogether abolished in Tuscany: and with so large a property belonging to the bishops, the deans, and chapters in Ireland, he (Mr. H.) saw little difficulty in following the same course.

Although the evils of the present system of tithes in Ireland were almost universally acknowledged, he regretted to say, that objections had been made, and opposition set on foot, in a quarter he did not expect, to any alterations whatever being made in the present arrangement of the tithe system. Several of the clergy had openly professed their resistance individually to any arrangement on the subject. The archbishop of Tuam, and some other church dignitaries, had called together the clergy of the diocese, for the purpose of opposing any alteration, present or future, in the system. Now, he would say, that whatever their feelings might be with respect to themselves, they had no right to trouble themselves for their successors. [Hear, hear! from the Ministerial side]. He would repeat, they had no right to object to any alteration the legislature might deem it wise to make in the situation of those who were to succeed them. What would the House think of the officers of a battalion assembling together for the purpose of joining in opposition to any measure which might be proposed for the future regulation of the pay of those who were to come after them in the service? Would not such conduct be justly considered as a presumptuous interference in things which did not belong to them? No one would maintain, that such a proceeding should be tolerated; and he contended, that the officers would be just as well grounded in such an interference as the clergy on the present occasion. It was the undoubted right of every British subject to petition, if they considered their rights affected; but he hoped any petition from the clergy against legislating for their successors, would not have much weight with that House. But it was urged by some of the clergy, "Will you degrade us by giving us pay in exchange for our landed income? Will you make us mere dependents on the bounty of the state?" He could scarcely repress a smile when he heard the clergy talk of independence. The clergy, who, for the last two centuries, had been amongst the most slavish supporters of power, had now the assurance to talk of independence. They had, indeed, assurance, along with many other good things, and, like others, their assurance often carried them through. The right hon. secretary for Ireland might laugh; but they would see how far his assurance would carry him by-and-by [Hear, hear!]. It was scarcely bearable to find such opposition coming from men who ought to have different feelings—to find the clergy rising almost in a body, the moment mention was made of reforming the abuses of the church. It was not, he repeated, to be borne, to hear them talk of being degraded by the idea of receiving pay—of having their incomes regulated by parliament—of having them subjected to a regular pay as a remuneration, from which we did not exempt our brave soldiers and sailors, our judges,—nay, even majesty itself. Was it not well known, that his majesty had surrendered his territorial income to the control of parliament, and received instead, such pay, under the title of civil list, as was considered suitable to the support of his royal dignity? and were they to listen there to the assertion, that the clergy would be degraded by that which royalty did not hesitate to accept? If the question was to be rejected, let the House have some argument advanced; but let it not be put aside by such absurdities as this. If it were urged, that commuting church property for a money payment would deprive the clergy of their independence, his answer was, that he was quite satisfied to take his choice; for sure he was, that they could not become more subservient than they were, or than they had been for a considerable period of time. But, while he was anxious to do away with large church livings, he wished to continue an efficient clergy, who would perform the sacred functions of their office with respectability to themselves, and with benefit to the community; in short, in a manner to promote religion, morality, and Christian knowledge. He did not wish to see them princes of the land, and acting as a body independent of the state. He contended, that the church formed a part of the state, as the army and navy did, and ought to be in every instance subject to such regulations and improvements as should, from time to time, be deemed necessary.

He thought he had now gone over all the points to which he wished to call the attention of the House; he had endeavoured to show what the church was; he had explained the present establishment of the church; he had pointed out the income allotted to its support, and the duties to be discharged by the receivers of that income; and if he had shown, as he trusted he had, that that income was too large—that the duties were not adequately performed—that some of the clergy were elevated far above their sphere, whilst others were much underpaid; he hoped he had made out a case on which he was fully warranted to take the sense of the House. If the church was to be supported according to the principles of our religion, they ought to look back to the conduct of its divine founder. Let not its higher dignitaries live in luxury and dissipation, while its most worthy and deserving clergymen, the working clergy, as they were called, lived in situations unworthy of them. He trusted he had shown that the greatest abuses existed in the church establishment in Ireland—that from non-residence, and other causes, the most important functions of its ministers were often neglected —that the higher dignitaries of the church did not discharge their duties as they ought—and that the manner of collecting tithes in Ireland was an evil which ought to have been corrected long ago. If the House had attended to his remarks, and the opinion of the archbishop of Armagh, who had asserted, that the public knew nothing of the church of Ireland, it was pretty evident, that nothing in the way of amendment was to be expected from the bishops themselves. As little did he think could be hoped for from the appointment of a commission of inquiry. He, therefore, would submit what he thought would be most effectual as a preliminary step; namely, the appointment of a select committee. He should therefore move,

1. "That the property of the church of Ireland, at present in the possession of the bishops, the deans, and chapters of Ireland, is public property, under the control and at the disposal of the legislature, for the support of religion, and for such other purposes as parliament in its wisdom may deem beneficial to the community; due attention being paid to the rights of every person now enjoying any part of that property.

2. "That it is expedient to inquire whether the present Church Establishment of Ireland be not more than commensurate to the services to be performed, both as regards the number of persons employed and the incomes they receive; and, if so, whether a reduction of the same should not take place, with due regard to all existing interests.

3. "That the peace and best interests of Ireland would be promoted by a commutation of all tithes, on such principles as shall be considered just and equitable to the present possessors, whether lay or clerical.

4. "That a Select Committee be appointed to consider in what way the objects stated in these resolutions can be best carried into effect."

In submitting these resolutions, he begged to assure the House, that it was not his intention to throw any personal imputation upon any individual connected with the church establishment in Ireland.

Mr. *Goulburn* felt it unnecessary to state, that he rose for the purpose of giving his most decided negative to the hon. member's resolutions. That was not the first time he heard opinions broached in that House, similar to those now advocated by the hon. member; but, wherever he met them, whether supported by the most powerful eloquence, or by that lengthened and minute detail, for which the hon. gentleman was distinguished, he should always be ready to oppose to them the best resistance which it was in his power to make. If, on this occasion, he felt any difficulty in answering the hon. member, it arose, not from the intricacy of the subject, not from the weight of the arguments to which he had to reply, but from the difficulty of restraining his indignation at witnessing the attempts now made to overthrow the foundation of all property, and to malign the established church, to which we were attached, not merely from habit and education, but from a practical experience of the incalculable benefits which we derived from it. He hoped he might be allowed to commence his argument by adverting to that part of the subject with which the hon. member for Aberdeen had concluded, and to express his astonishment at finding that the hon. member, while he expressed his wish to maintain the clergy in a manner which would at once render them useful, and obtain for them the respect of society, should have allowed himself to deal out against that body so much of obloquy and abuse. The hon. member, while he stated that he was anxious to place the clergy of the country upon a respectable footing, not only desired the House to deprive them of their property, but wished to place them under the ban of society—to place them in a situation which would preclude them from expressing to parliament, in the form of petition, either their wants or their wishes. The archbishop of Tuam was held up to censure, for having called a meeting of his clergy on the subject of their temporal interests, and for the purpose of defending that property which had been originally given for the support of the church, and to which it had as good a claim as any individual could have to his own estate. The archbishop had, it seemed, the audacity to call a meeting, for the purpose of laying a petition before the legislature. This, then, was the hon. member's toleration—this was the kind of justice which he felt disposed to extend towards the clergy—and from this the House might judge of the great liberality of his views on the subject of the church establishment [Hear, hear!] What would the hon. member or his friends say to him, or the gentlemen near him, if, where the private property of an individual was concerned in the remotest degree, he or they should get up and say, that the party about to suffer had no right whatever to interfere by petition, or otherwise apply to the House for protection? If such a line of conduct was likely to make strong impressions, what must be his feelings, what must have been the feelings of the gentlemen near him, when they heard it publicly stated, that the clergy of that country had no right to petition against the enactment of a law which they considered obnoxious to their interests?

The hon. member had endeavoured to support his argument by stating, that the king had been induced to change his territorial property for a money provision. But, did the hon. gentleman recollect, that the agreement with the king was made with his own consent, and was to last only for the life of the sovereign? Would the hon. member attempt to maintain, that the contract made with the king as to the crown lands—a contract made in the fairest, the most open, and the most honourable way, and with a strict regard to the rights of the crown—was a ground for the forcible spoliation of the clergy—a ground for changing one species of property for another? The hon. member had broadly stated, that the clergy were dependent upon and subservient to the crown. He (Mr. G.) was aware that it had been for some time the fashion to create a feeling of hostility against the clergy, as a means of invading the other establishments of the state. Whatever affected the church, must affect the state: they were, by reason as well as by law, united; they could not be separated without imminent peril to both; but he begged to observe, that the church was not dependent upon the state in the way which the hon. member represented. If he would look into history, he would be better able to appreciate the benefits which the state had derived from the clergy; he would find that the liberties of the country had, at more than one period, been preserved by the instrumentality of the church; that it had more than once opposed barriers to the attacks made upon the privileges of the people. In the frequent struggles for power which had taken place in this country, the church had stood between the contending parties, the ministers of peace, and had preserved the due balance between them. A reference to history would also show the hon. gentleman why his present propositions were natural subjects of alarm to those who loved the constitution of the country. The course which he was following was that pursued by other reformers in earlier periods of our history. Let the House remember what had marked the commencement of that revolution which did not end until the blood of the sovereign had been shed. It began by an invasion, on the part of the House of Commons, of the property of the church: first, the tithes were attacked; next, the dignity of the higher orders of the clergy; and the spirit of revolution, thus excited, was not appeased until it had destroyed almost all order in the country. If the hon. gentleman would turn to the proceedings of parliament in the early part of that revolution, he would find this resolution:—" Whereas the government of the church of England by archbishops, bishops, their chancellors and commissaries, deans, and deans and chapters, archdeacons, and other ecclesiastical officers, hath been found by long experience a great impediment to the perfect reformation and growth of religion, and very prejudicial to the state and government of this kingdom—resolved, that the same be taken away." The House, following up this principle, came, in a short time after, to this resolution—"That the lands, fines, rents, and profits of all archbishops, bishops, deans, deans and chapters, and vicars choral, be forfeited to the state"—the same principle which the position of the hon. member embraced; and, following up that principle, the House further resolved, "That a certain sum be issued to commissioners to be appointed for that purpose from the treasury of the state, for the purpose of supporting a sufficient number of preaching ministers, and for the due support of the church." There was nothing in the resolutions of forcible spoliation which the Commons agreed to in that day, that was not, in effect, embraced by the proposition of the hon. member now before the House. First came the deprivation of all church property; then came that which the hon. member called just—that the preaching ministers should have what was considered sufficient for their support, and the support of the church—[Hear, hear! from Mr. Hume.] The hon. member might call this justice, if he pleased; but there was no kind of forcible spoliation to which the same epithet might not be applied. But, let the hon. member mark what was this "just" provision for the clergy. In six months after the passing of the resolutions he had noticed, another was agreed to, by which all archbishops, bishops, deans, &c. were deprived of their temporal estates, of all their freehold lands, which were declared forfeited during their lives—not much beyond the principle of the hon. member. And, to show the equitable principle of remuneration upon which the House of Commons, in the liberal reforming spirit of that day, acted, he would read one more resolution to which it had come:—"Resolved, that the archbishop of York have 100*l.* a-year for his life."—[Cries of Hear, hear!]

He did not recall the recollection of the House to these facts for the purpose of creating a smile. He quoted them for the purpose of showing, that the revolution, which in its progress was marked with the most flagrant violations of every moral principle, had commenced by the spoliation of church property. But the hon. member added, that a measure analagous to that which he had proposed had been adopted by Leopold of Tuscany. He (Mr. G.) did not profess to be sufficiently well acquainted with all the affairs of that very important state to give any opinions as to their policy; but he would say, that he never should be induced to depart from the principles of honesty, justice, and morality, by the example of any foreign sovereign. He had been taught from his earliest youth, that if any thing distinguished England from other countries, it was her undeviating adherence to the principles of honour, morality, and justice; nor could any desire of imitating a foreign state induce him to sacrifice this proud distinction. But the hon. gentleman appealed to the landed interest, for whose benefit, he added, this would prove. He (Mr. G.) would not insult the landed interest by supposing that they would, by any plea of self-interest, be reconciled to such a spoliation. They must feel that it could not be for the real interest of any man to rob one portion of the community for the purpose of benefitting another. Such a principle destroyed the very foundation of morality: it confounded vice and virtue; it professed to encourage charity, while it in reality recommended robbery. As applied to the concerns of the church, such an argument was not without a precedent. The clergy would not be surprised, nor would they be disposed to complain, if they were now attacked by the same line of argument, by which the divine Founder of our religion had been himself assailed. Why, it was asked, in the hypocritical cant of the day (not much unlike the hypocritical cant of the present), "why was not this precious ointment sold for three hundred pence, and given to the poor?" Not (as we are informed on the most undoubted authority), that "they cared for the poor," but that they were anxious to avail themselves of the base passions of the people, and thus, by a hypocritical pretext, to deprive the divine Founder of our religion, not of a decent maintenance, not of necessary subsistence, but of an expensive acknowledgment of his dignity and splendor.

The hon. member had gone so much into detail, that it was not possible for him (Mr. G.) to follow through all the branches of the address. It could not be expected that he should be able to say exactly what was the amount of this bishop's revenue, or what wealth another might have unduly amassed. He hoped for the indulgence of the House on this occasion, and that they would not take every statement of the hon. member to be correct, because he was not just then enabled to give it a contradiction [Hear, hear!]. The hon. member and he differed very widely in the principle which he had endeavoured to maintain; and, here he thought was the great error of all who argued as the hon. member had done. It was assumed by all such, that the property of the church was in a different situation from that of any layman; and that the right to one should be argued as different in its nature from the other. Now, he held the right to be the same as to possession, but not to alienation. He maintained, that the lands allotted for the support of the church, were as strictly the property of the church, as the property of any individual could be said to belong to that individual. He spoke in the hearing of those who could contradict him, if he took a wrong view of the subject in this point. The property of the church was, no doubt, subject to the performance of certain duties; but, as long as those duties were performed, the House had no more power over that property than they had over the property of any individual in the country. He would go further, and assert, that, even in case of the non-performance of the duties attached to the property, though the individual might lose his right over it, still the loss could not be extended to his successors. If some members of the church did not come up to that perfection which might be expected from the nature of their duties, would it be contended, that the property should be for ever lost by his omission? He maintained, that it ought not; for it was not the property of the individual. It was the property of the great body, attached to the performance of certain duties, which were intended to be for the benefit of the people. And was it to be argued, that by the neglect of one possessor, who omitted to perform his duty, the people were to be for ever deprived of the means of remunerating one who might more effectually discharge his sacred trust? Because one delinquent existed in the church, was it to be stripped for ever of the means of rewarding a worthy and efficient clergyman? Yet such was the doctrine of the modern reform which the House had heard so eagerly put forward that night. Why, he would again ask, should the property of the church be looked upon in a different light from any other property appropriated for the public benefit? Suppose the hon. member were to have an estate left to him upon the condition of maintaining an hospital, and that he had failed to fulfil that condition, would it not be unfair upon the part of any set of persons to turn round and say, that the property should be so disposed of as never to be applied to the support of an hospital in future? Suppose a large tract of land were left for the endowment of an hospital for the benefit of the surrounding neighbourhood, would the misapplication of the funds, in one instance, or the neglect of duty by those who received a great portion of them, be a ground for withdrawing from the people the benefit of the hospital in all future times? He presumed not. Why, then, should the argument apply to church property only? Yet, such was the reasoning upon which the House was called upon to sanction the spoliation now proposed.

But the hon. gentleman said, he would give the minister of the church a liberal remuneration. Upon this there arose another point on which he widely differed from him. He was not bound to pay any idle veneration; but he would respect and venerate worth, learning, and piety where he found it exist. It was the pride of the church of this country, that it had sent forth a greater number of learned men than the church of any other country in the world: and, upon that ground alone, he should think it unwise to meddle with a system which had raised the church to so high a point in the respect and admiration of the world. Unless due encouragement were held out to those who entered into that church, it could not be expected, that there would be the same influx of virtue and learning into it, in the days that were to come, that there had been in the days that were past. Besides, when he compared the church of England with the church of Scotland, and the distinguished characters produced by the one, with the distinguished characters produced by the other, he saw no reason (and he said this without meaning any disrespect to the church of Scotland), to change the system of the church government of England for the system of church government that prevailed in Scotland. These observations, he well knew, applied to all members of the church of England in general; and did not belong to the church of Ireland in particular. His reason for making his observations of this general nature was, that he saw no argument which applied to the subversion of the church of Ireland and the diminution of its dignity, that did not apply with equal force to the subversion of the church of England. Indeed, the hon. member himself had not hesitated to declare, that, in his view of the question, the church of England was not a whit more pure than the church of Ireland; and he (Mr. G.) had therefore taken the liberty of arguing the question on the broad principle, in order to render the views of the hon. member more clear and intelligible to the majority of the House. If the House wished that the church of England should be reformed, in the manner that the hon. member for Aberdeen proposed, they would of course vote in favour of his resolutions; but if they did not think that it stood in need of any such sweeping charges, he trusted that they would reject, by a large majority, the extraordinary proposal which had that evening been submitted to their consideration.

The hon. member for Aberdeen had made, however, some observations upon the church of Ireland, which he thought it necessary to notice, though he did not intend to enter at any length upon them. And here he must remark, that after differing so widely from the hon. member on so many points, he was glad to find at last one point on which he could agree with him. The hon. member had lamented the frequency of non-residence among the clergy of Ireland. That was an evil which he lamented as much as the hon. member possibly could do; for he was well convinced, that a resident clergy was more necessary in Ireland than in any other country. They were necessary on this account—that they afforded more effectual means of introducing permanent tranquillity into that distracted country, than any which the wit of man had hitherto devised. As far as it was in the power of the governors of the church; as far as the bishops and archbishops could effect any thing in their respective dioceses; and he might also say, as far as the lord lieutenant had any influence; there was a full and perfect concurrence as to the great importance of the residence of the clergy. Indeed, he could appeal to experience, to show how far they had been successful in their efforts to make more of the Irish clergy resident on their cures. To a measure which, without infringing on the rights of the church, should compel the clergy to reside, he should not have the slightest objection; though, at the same time, he must say, that there were many circumstances which rendered the non-residence of clergymen in Ireland more excusable than it would, under the existing circumstances, be in England. It was known to the House, that, for some years past, several large sums had been voted by parliament, for the purpose of building and repairing glebe houses in Ireland.—The expenditure of that sum, as far as it had gone, had been productive of much good; as in all cases where glebe houses had been built, the clergymen had been compelled to reside: but there were many benefices in Ireland on which there was not merely no residence provided for the clergyman, but no means of even procuring one. It was therefore unfair to impute, in all cases, to the neglect of the minister, and even to that of his majesty's government, the want of that spiritual assistance which the lower classes of the community had an undoubted right to expect from those to whom their spiritual concerns were entrusted.

With that remark, he should leave this part of the question, and should proceed to notice another observation in the speech of the hon. member for Aberdeen. That hon. member had said, that in the church of Ireland the preservation of patronage was the only thing considered—that livings were conferred, and bishopricks bestowed, with a view to nothing else than parliamentary interest, and the promotion of corruption, and from such other motives as the hon. member was in the practice of always imputing to his political opponents. He did not mean to say that there were not in the church establishment of Ireland persons allied to the first families in that country; and connected with individuals who possessed parliamentary influence; but, such a circumstance was no imputation against them, unless their talents and conduct were such as to disqualify them for the situations which they held, or unless they neglected the duties which they were bound to perform. He would ask, however, of the hon. member for Aberdeen, to look at the bench of Irish bishops, and to declare whether he could find men filling such situations in any other country, with characters more pure, and with talents more exalted?

He had now adverted to most of the assertions which the hon. gentleman had advanced in the course of his speech; and he must say, that by that speech the hon. member had removed from his mind, and he trusted from the mind of every member in the House, all doubt as to the line of conduct which ought to be pursued. The hon. member had moved for a committee, with the usual parliamentary preface to his motion—that all he wanted was inquiry. Nobody, however, could have entertained any doubt as to the object and nature of that inquiry, even supposing the hon. member had not laid his resolutions on their table. He should, therefore, resist the hon. member's motion for a committee, as he considered it to be hostile to every principle of honour, honesty, and justice—to be fatal to the property of the church—and to be, as a precedent, pregnant with the utmost danger to every kind of property possessed by the community. He must again repeat, that if gentlemen were prepared to sanction such an attack upon the rights, dignities, and property of the church, they would vote with the hon. member for Aberdeen; but if they were determined to support the present establishment of the church, upon the ground, that it was well calculated to promote the welfare and morality of the country, they would join him in giving it a most decided rejection.

Mr. *Stuart* expressed his strong disapprobation of the proposed committee. He likewise defended the late primate of Ireland against the attack which had been made upon him by the hon. member. The assertions which that hon. member had made, in derogation of his conduct, were totally unfounded. Before the year 1807, there were no means of enforcing the clergy of Ireland to residence. The bill for that purpose was introduced by the late primate, who had been made the subject of such unfounded attack.

Mr. *Maurice Fitzgerald*, knight of Kerry, said, that if he had felt some difficulty regarding the vote which he should give upon the resolutions then before the House, that difficulty had not been removed by the speech of the right hon. secretary. If he could not assent, on the one hand, to all the charges which the hon. mover had brought against the church of Ireland, in the very able statement which he had that evening made, neither could he assent to the sweeping defence which the right hon. secretary had offered against them on the other. In stating that it was his opinion, that the church of Ireland required inquiry and reformation, he trusted that he should not be considered as entertaining any feelings of hostility towards it, or as speaking from any envy or ill-will towards those who were intrusted with the care of it. He wished that an inquiry should be instituted into its condition, and a reformation made in its abuses; more for the sake of increasing the stability of the Protestant establishment, than for any paltry gain which might arise from the confiscation of its property. The church of Ireland appeared to him to be too rich; and whilst it was so largely endowed, it could not be expected that those humble duties which were so often demanded from its members, would be performed in the exemplary manner that Christian charity demanded that they should be. It ought to be recollected, too, that in Ireland the church had to compete with other sects, that possessed able and enlightened clergymen; and if it were to be kept up for any thing else than a mere political machine, it was necessary that its members should discharge with activity the duties which their situations required of them. He contended, that this unfortunately was not the case, and mentioned as a melancholy illustration of the evils which had arisen from this neglect, that in whole districts in the south of Ireland, which he recollected to have been inhabited by Protestants, the inhabitants had become members of other sects, in which they had found able and active ministers. These circumstances had led to two, three, four, seven, and, in one instance, to eleven parishes being united into one, and confided to the care of a single individual. This, however, was not the whole of the evil; for it sometimes happened, that even in these parishes, where there had been resident Protestants receiving the cure of souls from a Protestant clergyman, the rector was now an absentee. Was it not right to inquire why the Protestant population was diminishing, at a time when its clergy was in the receipt of much larger emoluments than the clergy of any other sect? He could have wished that this motion for inquiry had been brought forward in some other shape, or had come from some other quarter; but, if ministers would not originate such a proposition, what was he to do? When he found the right hon. secretary objecting to inquiry, not upon the ground that it ought not to be effected in the manner proposed—not upon the ground that he had some measures to suggest that would render it needless—but on the ground, that the theoretical excellence of the Irish church establishment, rendered all inquiry into it perfectly unnecessary—was he not obliged to resort to the measure then before him? He had said, that he felt difficulty as to the vote he should give; but he must now add, that if this motion went to the vote, he should certainly vote for it. The church of Ireland was in danger, not so much from the hostility of rival sects, as from the supineness of its own members, and the abuses of its own system—from the disposition which prevailed in certain quarters to defend every possible abuse, and to refuse every species of reform. It was his anxious wish to see that most necessary reform take place—to see that church purged of those abuses which were the seeds of its weakness. He felt a high regard for the church. Without the affectation of a peculiar interest for religion, he would wish to see the establishment flourish in strength and purity. He despised affectation of any kind, but cant and affectation upon the solemn subject of religion, he abhorred. Anxious as he was for the interests and for the glory of the church, he should be a dishonest man if he did not declare, that he feared for that establishment, because it was determined to wait for a reformation from without, rather than itself commence a reformation from within. He gave the Irish government credit, for having selected, in its recent appointment of bishops, men distinguished no less for their learning and talent, than for their christian zeal and charity. He hailed that circumstance as ominous of good; and he should have considered it still more so, if he had seen it accompanied by any disposition to investigate the condition and remedy the abuses of the church, over which they were set to preside. Notwithstanding what had been done, he was convinced that, unless the residence of the clergy was more strictly enforced; unless the discipline of the church were more closely observed; and unless its ministers were compelled to pay more attention to the education of their parishioners—a duty which they were sworn to discharge, but which they generally neglected—he was convinced, that in a few years, the church of Ireland would have but few followers among the middle and lower classes of society. With respect to the question of tithes, he would exclude it altogether for the present. That question was very shortly to be brought before the House by the right hon. secretary; but when he heard it said, that tithes were not a subject for legislation, he feared that any proposition coming from the same quarter with regard thereto, would be inadequate and nugatory. If a measure similar to that of the last session should be again brought forward, he could only impute the attempt to the infatuation of ministers, caused by a false and dangerous zeal for the establishment, and tending to undermine those barriers, which formed its strong defence.

Mr. Secretary *Peel* thought the hon. gentleman might have deferred till the day after to-morrow offering an opinion as to the measure to be brought forward by his right hon. friend. Thus much confidence he considered due to the Irish government, who, it had been admitted, had selected for high offices those only who were recommended by their fitness to fill them. Credit, therefore, might have been given them for a disposition to reform abuses which had been shown to prevail. The hon. gentleman had stated, that the Protestant population had been withdrawn from a considerable district, in consequence of the neglect of the Protestant church. He begged to read what had led to the Protestant population referred to being so withdrawn. He then read a statement from the lord primate, which set forth, that the livings in these parishes were so low, that no clergyman could be found to accept of them, a factious vote of the Irish House of Commons having reduced the vicars to want, and made it necessary to unite several vicarages into one benefice. In a case where several of these had been thus united, the total income arising from them did not exceed 200*l.*; and in other cases the amount produced under similar circumstances was not more than 100*l.* a year. The vote alluded to had passed in the year 1735, and its object was to discourage the growth of popery. Such an effect was not likely to be produced by that resolution; and nothing could be more unjust in itself. But he had not risen to reply to the last speaker, but to the hon. gentleman who had brought forward the present motion. The question was not now, whether abuses should be inquired into which were admitted to exist. This was not sought; for he considered the greatest enemy to inquiry was that man who brought forward a proposition founded on such principles as the hon. gentleman had adopted and avowed that night. If the proposition before the House were adopted, it would affect not merely the Irish church, but the English church also; it was an attack upon both. And what was the situation of the church with respect to that House? He should beg the House to recollect, that by act of parliament (with the policy of which he did not find fault), the clergy were prevented from having a voice in that House; that the ancient assemblies through which they were accustomed to deliver their opinions (the convocation) had fallen into disuse; and that it therefore was but just, that peculiar caution should be used in attacking the rights of men who had not organs through which to defend themselves. It was not, however, on this ground that he resisted the motion; but because he felt it necessary to make a stand against doctrines which tended equally to slavery and spoliation. Was it possible that it could be maintained by a whig, by the hon. member, who went even beyond a whig in popular opinions, that the privilege of complaint was to be withheld from the clergy? Was he to tell the clergy that they had no right to express their opinion on the subjects in which they were especially interested? If a bishop met the clergy of his diocese, to express an opinion on the commutation of tithes (not that they would not pay the most implicit obedience to the determination of parliament, but merely to declare that they did not consider that the proposed measure would benefit the church), the hon. mover told them, that they were to be regarded as the officers of a mutinous battalion, who met the officers of a brother battalion, to protest against the reduction of the army. If any man had maintained on his (Mr. P.'s) side of the House, that the petitioners, in behalf of an existing right of property, ought to be looked upon in the same light as soldiers guilty of a breach of the Mutiny act, he would be justly met with general indignation. The hon. gentleman had asked them, what was the church of England? He had told them that there were various opinions, not as to its constitution, but as to the very meaning of the term. If, as the hon. mover had supposed, they were on the eve of voting that Quakerism should be the established religion of the state, he did not know what his notions might be as to the church of England; but, so long as the Protestant reformed religion was the religion of this country, he should be at no loss to state what he conceived to be the meaning of the term "church of England." It was no obscure or novel expression; it was employed in one of the most solemn acts by which the liberties of the country were claimed and defined; and our ancestors did not think it inconsistent with their own freedom to maintain that of the church of England. In the first page of the first chapter of the first volume of the statute-book, in Magna Charta, it was expressly declared —"Quod Anglicana ecclesia libera sit, et habeat jura sua integra et libertates suas illæsas." At the period of the revolution, when the coronation oath was established, it was not thought inconsistent with the rights of the subject, to require from the crown, in the presence of an archbishop or bishop, a positive and solemn engagement to maintain the Protestant reformed religion, and to preserve to the bishops and clergy the rights and liberties to which they were entitled. He denied the position, therefore, that the church of England meant no more than a congregation of Quakers, or any other sect voluntarily associated; and he refused to accompany the hon. gentleman one step in his inquiry, because he had not explained the principles on which he intended to proceed. His sophistry could not impose upon any member who had sat only a week in the House. He could not deceive the weakest man, by asserting, that his object was the same as that of the primate, who said, that the church of Ireland had been much misunderstood. The hon. member's first resolution was enough to show what his real purpose was. It declared, that "the property of the church of Ireland at present in possession of the bishops, deans, &c. of Ireland" (as if they were mere and absolute intruders) "is public property, under the control and at the disposal of the legislature, for the support of religion, and for such other purposes" (perhaps for defraying the deficiences in the civil list, or for paying off the national debt) "as parliament, in its wisdom, may deem beneficial." Before parliament entered upon an inquiry into the condition of the church, they were to affirm, that the property of the church was applicable to any other purposes than the maintenance of religion. It was a vain and useless discussion to inquire into the competence of parliament, nor should he be inclined to deny it; but, of this he was sure, that on any principles on which parliament could wisely act, they could not interfere with the property of the church—that they could not touch it without weakening the confidence in private property. He should not refer to the origin or antiquity of the church of Ireland; but, when the hon. member talked of the stipulations of the act of Union as the reason why he did not abolish episcopacy altogether, he would ask, whether the hon. member could prove it consistent with the act of Union to reduce them to four bishops and one archbishop? The church of Ireland was a part of the united church of England and Ireland, and in the act of Union, every bishop and archbishop was enumerated, and the rotation in which they were to take their places in parliament settled. For the reasons he had given, he felt it his duty to oppose altogether the entertaining of the proposition now recommended to the adoption of the House.

Mr. *Denman* said, he could not consent that the House of Commons should be disqualified, by the general assertions of the right hon. secretary, from entertaining any proposition which might be laid before them with a view to the benefit of the community. Not having heard all the speech of the hon. mover, he yet thought that he should desert his duty to an important part of the empire, if he resisted the proposed inquiry, especially as he was little disposed to expect efficient measures of reform from the gentlemen on the other side of the House, who avowed principles which would be fatal to all reform. As to the argument deduced by the right hon. secretary from the act of Union, if the object of that act was to preserve the establishment from any change, it would afford an argument against any change which should originate with the government, as well as against any which should originate with the House. If, on the other hand, the act of Union was not to stand in the way of reform, there was no reason why they should not look into the subject, and afford the government the aid of their inquiries. The right hon. secretary had spoken of the delicacy of making any attacks on the clergy, on account of their peculiarly helpless condition; as if the clergy of Ireland had no union with the government; as if the mode of distributing the patronage of the church did not interest the most powerful persons in their behalf; as if they had not archbishops and bishops in parliament to advocate their cause; as if they were not great freeholders, and had no representatives in that House. They had had pretty good specimens on former occasions of the manner in which they could resist any propositions which affected them, and it seemed to him much more likely that a salutary reform would be delayed on account of the influence they possessed, than that measures injurious to them would be carried through their mere inability to resist them. The right hon. secretary had referred to the coronation oath and to Magna Charta. He thought the reference to the coronation oath alarming; and not the less so on account of the quarter from whence it came. It was the absurd construction of that oath that had long stood in the way of a great measure of reform, approved by all enlightened men — the emancipation of the catholics, without which they could never hope for the peace of Ireland. The right hon. secretary had also gone back to Magna Charta, where he found the liberties of the church of England were secured. But, let it not be forgotten, that at the time Magna Charta was obtained, the English church was a Popish church, and that the liberty referred to was the independence of the see of Rome, and not a separation from its doctrines. He did not understand that the object of the proposed inquiry was to bring the rights and liberties of the church into the slightest jeopardy, but merely to examine, whether its revenues could not be better administered for the good of the church itself. In the Curates' bill, the House had resorted to first principles; for it declared, that the working clergy ought to be duly rewarded, and it recognized the right of the House to interpose, and to take care that therewas a just division of the ecclesiastical property. If the promised measure of government did not go that length, it would be little worth the attention of the country: if it did not go that length, why was not the House to give government its support, by an independent inquiry? It would thus show, that there was a real disposition to amend and improve.

Mr. Secretary *Peel* thought it but fair to state, that he had never, in any debate on the Catholic question, urged the coronation oath against the concessions demanded. Such an argument he had never used; nor would he ever use one, which he was not prepared to avow and maintain.

Mr. *Denman* expressed his satisfaction at the explanation.

Mr. *Plunkett* begged to trespass on the House for a few moments. He did so with reluctance, but he felt he should be wanting to himself, to the situation which he had the honour to fill, and to the part which he was accustomed to take on that question, which had been incidentally connected with the debate of that night, if he were not to offer one or two observations on this occasion. The nature of church property was well known to the House. It was not for the purpose of speaking on this subject, that he had risen. But he could not allow the resolutions of the hon. member to be offered to the consideration of the House, without expressing, in terms as strong as the English language could supply, or the rules of parliament would allow him to use in that House, his sense of the folly and desperation of the measure which had been proposed, and without expressing the strongest reprobation of it which it was in his power to bestow. The plan of the hon. gentleman for governing the church of Ireland, if proper for that country, would be proper for England. If adopted by parliament, they would in effect declare, that the property of the hierarchy was public property, and was liable to be disposed of for purposes of religion, or for any other purposes. This would prepare the way for the downfall of the hierarchy: that of the throne must follow; and this would, of course, involve the overthrow of the constitution. He was no advocate for the divine right or the sacredness of church more than any other kind of property. But he was an advocate for the sacredness of all property. He spoke language which came home to the breast of every Englishman, when he said, that the church of England was an integral part of the constitution, and could not be interfered with without interfering with the constitution. But, the hon. gentleman said, that parliament had interfered with the revenues of the crown, and had the same right to interfere with the revenues of the church. He admitted that it had the same right to interfere. But, when the House interfered with the revenues of the crown, it was not to commit an outrage, but to make a compact, to which the crown was a consenting party, which was to last but till the expiration of the life interest of the reigning sovereign. But, the proposition of the hon. gentleman attacked the property of the church for alleged irregularities; and, without limiting his measure to a life interest, he demanded that its property should be taken away altogether. But, then, an equitable adjustment was to be made. And, what was the equitable adjustment proposed? Why, that full compensation should be made to the individuals now in the church. This compensation was to be given to the individuals, of whose misconduct he complained; and the property belonging to the church was to be taken from their successors, who had never offended. And this was the "equitable adjustment" proposed by the hon. gentleman, as it was the custom to call every plan of spoliation and injustice. If he deprecated this as applied to the Protestant establishment of England, he deprecated it still more as applied to the establishment of Ireland. The church establishment in Ireland, as in England, was an integral part of the constitution, but in Ireland it was also the bond of connexion with this country. To his hon. and learned friend who spoke last, he felt nothing but gratitude for his zealous support of the cause of the Roman Catholics; but he would put it to him, whether it could be serviceable to that cause to mix it up with the subject now before the House? For himself, he would say, much as he regarded the Roman Catholics, devoted as he was to their cause, incorporated as it was with his very nature, impossible as it was that he should slacken in it while life remained, if he thought that its success would shake the Protestant establishment in Ireland, he would fling it to the winds. But, one of the strongest grounds on which he advocated that cause was, that he believed in his conscience, that he was satisfied, on the most mature consideration, that no one object was so calculated to strengthen that establishment as the restoration of the great body of the people to their long lost rights.

Mr. *Monck* agreed with the hon. mover, that the ecclesiastical revenues were not so much intended to benefit the clergy as the people at large. When the House was called upon to vote millions for the building of churches, where could be the harm of asking whether the ecclesiastical revenues were not equal to bear the expense? Where could be the harm of taking something from the hierarchy of the church to be bestowed upon the inferior clergy? It was with this view that he should support the resolutions, and not with any desire of spoliation; because he did not think that either the church of England or of Ireland were too well endowed.

Mr. *Grattan* said, that from what had fallen from the other side, he was apprehensive that no effectual measures were intended to be proposed by the government on this important subject. Inquiry was certainly necessary: he should, therefore, support the resolutions, without agreeing in all the doctrines advanced by the hon. mover. He should never support any principles of spoliation; but he was of opinion, that the officers of the church in Ireland, and its revenues, ought to be regulated. By the present system, Ireland had been made a Catholic country; for there were not now more than four or five hundred thousand Protestants in Ireland.

Mr. *Hume*, in rising to reply, put it to the right hon. gentlemen opposite, if his language, or if any thing which he had said, deserved the warmth which the right hon. gentleman had displayed. He should have scarcely troubled the House again, as the facts in his speech had not been met; but an attempt had been made to misrepresent his expressions, and he owed it to the House—he owed it to himself—he owed it to the cause he was advocating, to meet that attempt as it deserved to be met. The right hon. secretary for Ireland had attempted to mistify, and grossly to misrepresent his propositions, by comparing them to the proceedings of the parliament of 1640, which went to sweep away the whole property of the church from the then possessors, whilst his proposal was, to secure to the present incumbents their full incomes for their lives, and only to propose a change for their successors. The right hon. gentleman had stated, that those proceedings did not go much beyond the principle which he (Mr. Hume) had proposed; whereas, no propositions could be more distinct, or more opposed to each other. He would not only say, that this was grossly misrepresenting him, but wilfully misrepresenting him; for his resolutions said, that no injury should be done to the vested interests of any existing individual. There never was a grosser attempt to lead away the House from the real object before it, than this; and it appeared, from such proceedings, that his opponents were much in want of arguments to meet his statements.

The *Speaker* here called the hon. member to order. He said he had waited till the last moment, and had even not stopped the hon. member when he used the unparliamentary term of gross misrepresentations; but, when he went on to attribute motives to right hon. members, he felt it his duty to call him to order.

Mr. *Hume*, in continuation, apologized for trespassing on the rules of the House, as he by no means wished or intended to apply any term improper or unparliamentary to any member of the House. The secretary for Ireland seemed to have entirely forgot his (Mr. H.'s) speech, and not to have read his resolutions. He (Mr. H.) had certainly a right to complain, that his opinions had been placed in an improper light, although no attempts had been made to answer his arguments. The right hon. gentleman had conjured up something said by some one else, in some other place, and this phantom he had combated with great vigour. In what instance, Mr. Hume asked, had he ever attacked individual property? He had specially guarded against such an interpretation both in his speech and his resolutions, by expressing his wish to respect all vested rights. What similarity, therefore, was there between his arguments and those which the right hon. secretary had been combating? The right hon. secretary had said, he would on no account be concerned in bringing forward resolutions which implied a sacrifice of honour, honesty, and justice. He (Mr. H.) was not, however, ashamed to put forth such resolutions; and he felt himself as incapable as the right hon. gentleman of supporting any thing which was dishonourable, dishonest, or unjust [Hear, hear!]. Because he differed from other gentlemen on many points, every statement of his only brought upon him violent personal attacks! He appeared to be individually marked out for such attacks, though he was not conscious of making such himself; but, from what he knew of the House, he thought they were not likely to receive countenance from it. One right hon. gentleman had said, that he was the greatest enemy of the country.

Mr. Secretary *Peel* rose to correct the hon. member. He had not stated, that the hon. member was the enemy of the country, but the enemy of inquiry.

Mr. *Hume*, in continuation, said, that he wished to avoid personalties, and to have arguments — weighty arguments, which alone were worthy of such a subject. The right hon. the attorney-general for Ireland had said, that he could not suffer the first resolution to pass, without expressing, in the strongest terms the English language could supply, or parliamentary usage would permit, his detestation of the desperation and folly of the individual who proposed it [Hear, hear!].

Mr. *Plunkett* rose to correct the hon. member. He had never mentioned the individual who brought forward the measure; but he had described the measure as full of desperation and folly.

Mr. *Hume*, in continuation, said, that as the measure was declared to be full of desperation and folly, and as he was the agent who introduced it to the House, he could not but suppose these epithets were applied to himself. But really to listen to the speech of the right hon. the attorney-general for Ireland, the House might have supposed that church property was touched, or rather attempted to be meddled with, for the first time. In the last session, the question had been discussed, and he was happy to see the discussion had already done good. The right hon. gentleman had then talked of commutation of tithes, when proposed by him (Mr. H.), as a profanation; but now, this measure was sanctioned by the government, and brought forward by the secretary for Ireland. Some progress, therefore, had been made in church affairs; and he hoped soon to see more. The right hon. attorney-general for Ireland had said, the Catholic question was completely incorporated in his whole nature. He (Mr. H.) hoped the time would therefore come, when, to support it effectually, would be conformable to his interest. If my whole nature (continued Mr. Hume) were incorporated with that question, I could not, and would not, continue to act with men who were hostile to it. I would not continue to act with men who, whilst they admitted the evils, opposed the remedy; and, in my opinion, the man who can so act, is not the sincere friend of Ireland [Hear, hear!]. What will the right hon. gentleman say, or rather all the three right hon. gentlemen, for I put them all together; what will they say to the folly and desperation of my resolution, when they find it has the support of many eminent characters, and of a bishop, and a very learned bishop? Why did they not charge that bishop with desperation and folly? Bishop Watson, in a letter to the duke of Rutland, dated January 1787, states, "There would be no injustice in altering the value of a benefice, when it reverts to the state, on the death of an incumbent." This is what my resolution states; it has the sanction of a distinguished prelate, who was not only a very learned, but a very honest man; which, perhaps, was the reason why he never participated largely in the emoluments of the church.—He would ask the right hon. attorney-general for Ireland, who accused him of spoliation, how it happened, that he had been a party to that great act of spoliation of the rights of the Irish clergy, the act relative to the tithe of agistment? Did he not know, that a court of justice, in Ireland, in 1720, had solemnly decided the tithe of agistment in favour of the clergy; and did he not know, that a resolution of parliament declared, in 1735, that man an enemy to his country, who should levy a process on account of that tithe? The right hon. gentleman was not the attorney-general at the Union, but he took a part in the proceedings at the time: how, then, could he charge him (Mr. H.), "in the strongest terms the forms of the House will allow," when he set his seal to an act which despoiled the clergy of Ireland of thirty-nine-fortieths of their property?

Archbishop Boulter had declared, that the arable land of Ireland then consisted only of one-fortieth of the whole; whilst the tithe of agistment constituting the remainder, was permanently taken from the clergy, by the act of Union, to which the right hon. gentleman acceded. He (Mr. H.) was quite aware, that there was a difference of opinion respecting his first resolution; and, therefore, he was not at present disposed to press it; but, on the second resolution, he should divide the House. This resolution he would read, that the hon. members who had lately entered the House, might at least know the subject on which they would be called to vote. The hon. member then read his second resolution. He had said enough before to show what was the state of that church, into the condition of which he wished to inquire. He had proved, that between 5 and 600 clergymen were absentees; he affirmed, that the duties were ill performed; that the church revenues were far too great for the services performed; that those revenues were very unequally distributed; that the lower and most useful part of the clergy were kept poor, half starved, and unable effectually to do their duty; and he called on the House to inquire if all these statements were true!

Gentlemen might shut their eyes to the facts, but they could not deny them. This great church establishment, it was said by the right hon. secretary, was to be kept up; this hierarchy was to be supported for the sake of morality and learning. We must, it would appear, have archbishops to render men moral and religious, and bishops to promote literature. But, how did it happen that Scotland was, he would say, not inferior, in many of these points, to England and Ireland, and yet had no hierarchy—no archbishops? But, in truth, the clergy of Ireland were paid to promote the morality of some other people, for they were not to be found in Ireland. If they were paid, ought they not to work? In Ireland we had this novel circumstance—there was, in some places, a congregation without a clergyman, and in other places there was a well-paid clergyman without a congregation!

The right hon. secretary of state had quoted Magna Charta to prove, that the property of the church should not be despoiled or meddled with; but it was rather unfortunate for the argument of the right hon. gentleman, that that Magna Charta applied to the Catholic church, which, we all knew, had been despoiled, and its property partly taken away, and partly transferred to the Protestant reformed church.

Scripture had been quoted that night by the secretary for Ireland, who had offered the state of the glebe houses as an excuse for non-residents; and he (Mr. H.) too, would quote Scripture in support of residence, and the performance of duty. St. Paul said, in his epistle to the Thessalonians, "If any man will not work, neither shall he eat." And all he wanted was, that those clergy who were absentees, and would not work, should not eat [Hear, hear!]. In addition to the non-residence, the right hon. member for Waterford had stated as an instance of gross abuse in the Irish church, that ten or twelve parishes had, in some cases, been united for the emoluments of an individual. Was not that a fit subject for inquiry? But what put his case in a strong point of view was, the comparative state of the population of Ireland. The hon. member for Kerry had said, that in the time of archbishop Boulter, the Protestants of Ireland amounted to one-third of the whole population: at present they only amounted to one-fourteenth, and their number was daily decreasing. It should be remembered, that this very great church establishment was kept up for this small part of the people. Was there to be no reduction of the church establishment if the Protestants became the hundredth instead of the fourteenth? [Hear!] His wish, however, was to detect abuses, and to apply remedies; not, as had been imputed to him, to spoliate the resident clergy. He wished (to use the language of lord Blaney) to see the clergy resident, to have them visiting their sick parishioners, and administering comfort and consolation in disease and distress.—In opposition to what had been quoted from Magna Charta, to prove the sacredness of church property, he would quote an act passed in the reign of Edward 6th, by which, for the erecting and endowment of schools and other purposes, it was enacted, to give to the king certain churches and chapels, and their property for ever. There were many other acts in the reign of Henry 8th, and also in subsequent reigns, taking away the church property. But the right honourable gentleman, perhaps, thought that such an appropriation of church property was not spoliation when it was made for kings, although it would be if made by the present government for the people. As the antiquity of the tenure and the original destination of the tithes was held by the right hon. gentleman as the grounds against any change, he would state what was the ancient destination of tithes and church property. Selden had stated, that the church property was originally divided into four parts: "One part was allotted for the maintenance of the ministry, out of which every parochial minister had his salary; another for the relief of the poor sick, and strangers; a third for the repairs of churches; and a fourth for the bishops." All he wanted was, that the House would provide, that the church property in Ireland should be applied to the purposes for which it was originally intended, and that it should not be misapplied and wasted as it now was. He had before read an extract from Adam Smith, to show that men might be rendered inefficient to perform their duties both by being too well paid and too little paid. The secretary for Ireland had asserted, that the church and state were united by reason, as well as by law, and that what affected the one, affected both. He would read what Paley, in his Moral Philosophy, had said on that subject: "The authority, therefore, of a church establishment is founded in its utility; and whenever, upon this principle, we deliberate concerning the form, propriety, or comparative excellency of different establishments, the single view under which we ought to consider any one of them is, that of a scheme of instruction; the single end we ought to propose by them is, the preservation and communication of religious knowledge. Every other idea, and every other end, that may have been mixed with this, as the making of the church an engine, or even an ally of the state; converting it into the means of diffusing or strengthening influence; or regarding it as a support of regal in opposition to popular forms of government; have served only to debase the institution, and to introduce into it numerous corruptions and abuses." The church of Ireland was in this state. It had become a mere engine of government. If ministers were left undisturbed, they would continue it in the same state as it had been for 50 years past, and do nothing to reform abuses.—He would not persist in taking the sense of the House on his first resolution, but he would call on it to support the second [Hear hear!].

Mr. *Goulburn* begged to deny the having charged the hon. member with any want of honour or justice. All he had said was, that, consistently with his own sense of honour and justice, he could not vote for the motion. His objection was—and with him it was a decided one—that the spoliation of the church must inevitably lead to the spoliation of private property.

The first resolution was put and negatived. On the second resolution, the House divided: Ayes, 62; Noes, 167. The third and fourth resolutions were negatived without a division.

List of the Minority.

Barratt, S. M.
Becher, W. W.
Bennet, hon. H. G.
Benyon, B.
Birch, J.
Calcraft, J. H.
Campbell, hon. G. P.
Carew, C. S.
Caulfield, hon. H.
Clifton, visc.
Colborne, N. W. R.
Creevey, T.
Craddock, col.
Davies, col.
De Crespigny, sir W.
Denman, T.
Ebrington, visc.
Ellis, G. J. W. A.
Farquharson, A.
Fergusson, sir R.
Fitzgerald, lord W.
Fitzgerald, M.
Glenorchy, visc.
Grattan, J.
Griffith, J. W.
Hamilton, lord A.
Hobhouse, J. C.
Honywood, W. P.
Hutchinson, hon. H.
James, Wm.
Lambton, J. G.
Leycester, R.
Macdonald, J.
Marjoribanks, S.
Martin, John
Maxwell, S. W.
Normanby, visc.
Palmer, C.
Palmer, C. F.
Philips, G. sen.
Philips, G. jun.
Power, R.
Price, R.
Pryse, Pryse
Ramsden, J. C.
Ricardo, D.
Ridley, sir M. W.
Robarts, A. W.
Robarts, G. J.
Robinson, sir G.
Sefton, earl of
Smith, John
Smith, George
Smith, W.
Stewart, W.
Taylor, M. A.
Titchfield, marquis
Webbe, col.
White, Luke
White, col.
Wilson, sir R.
Wood, alderman
Wyvill, M.

TELLERS.

Hume, J.
Monck, J. B.

Piracy in the West Indies—Dotterel and Carnation Cruizers.]—Mr. *Marryat* rose to call the attention of the House to certain letters written by the secretary of the Admiralty, in October last, in the name of the board, and intended for the information of the public. These letters, he said, contain statements directly at variance with fact, as can be proved by documents of unquestionable authority, as well as by the evidence of various respectable and uninterested eye-witnesses; and therefore this is a case which calls loudly for investigation. Hitherto, the authenticity of all communications coming from the public departments of government has been so unimpeachable, that when we would describe information as being true beyond all possibility of doubt, we do so in one word, by saying that it is official. Lamentable, indeed, would be the situation of the people, if their credulity were to be practised upon, and their confidence abused, by men in office, whose bounden duty it is to serve them, not only with zeal, but with fidelity. Perhaps these observations apply with more force to communications from the Admiralty, than from any other public department: not only all the great commercial and political interests of the country are affected by them; but contracts for insurance of property, to an immense amount, are made upon the faith of the representations they contain; and great injustice is done between man and man if these representations be inaccurate. It is true, that the Admiralty, in giving accounts to the public, of events that take place on foreign stations, depend upon the information given them by the officers employed in his majesty's service; and that if they make incorrect reports of their proceedings, and describe themselves as performing duties which they have not discharged, they are the responsible parties. All I contend for is, that if I make out my case, and prove that the public have been deceived by false representations, the honour of his majesty's government, and the satisfaction of the public, both require that the subject should be probed to the bottom, and every paper that can throw light upon it, be produced, in order that the authors of this imposition should be known, and dealt with as they deserve. For a considerable number of years past, a correspondence has been carried on between the board of Admiralty and the committee for managing the affairs of Lloyd's, which has certainly been attended with advantage both to the public service, and to the commercial interests of the country. In 1811, agents for Lloyd's were appointed at every port throughout the globe, to which British commerce extends, who transmit to the committee, by every possible opportunity, the arrivals and sailings and losses of vessels, together with every information that can interest the commercial part of the community. By this means, the system of commercial intelligence has been brought to the highest degree of perfection; and all the rays of information scattered throughout the whole world are concentrated into one focus at Lloyd's. Advices are frequently received there, interesting to the naval service, that do not come to the Admiralty by the same conveyance; and the Admiralty, in like manner, frequently receive despatches by men of war, the contents of which are interesting to the subscribers to Lloyd's, and thus the interchange is mutually useful. In the course of this correspondence, on the 7th of October last, a letter was addressed to the Admiralty, by the committee for managing the affairs of Lloyd's, stating the capture of two British vessels, the Industry and the Vittoria, by a piratical schooner, off the island of Cuba. On the 9th of that month, the secretary of the Admiralty acknowledged the receipt of that letter, in one addressed to the secretary of the committee, containing these words:—"I am commanded by their lordships to acquaint you, for the information of the committee for managing the affairs of Lloyd's, that their lordships had already received an account of that transaction from captain Walcot, of his majesty's sloop Carnation, who had been directed by rear-admiral sir Charles Rowley, to take up a station in that neighbourhood for the protection of the trade, and who writes, under date of the 12th of August, that, on that day, seventeen sail of the Jamaica ships had passed safely round Cape Antonio, and that he was waiting in that quarter to see the remaining vessels also safe. His majesty's sloop Dotterel was also in that neighbourhood." In another letter, written the day following, to Mr. Alderman Daniel, of Bristol, in answer to one from that gentleman, inclosing a statement of the ship Edward Protheroe, belonging to that port, having been plundered by pirates off the island of Cuba, the secretary of the Admiralty goes into further details respecting his majesty's sloop Dotterel. His words are—"Their lordships have advices from his majesty's sloop Carnation, which, as well as his majecty's sloop Dotterel, was, on the 12th of August last, in the immediate neighbourhood referred to in the above statement; and my lords hope, that the attention thus drawn by his majesty's naval commanders to this point, together with other measures taken by their lordships, will have the effect of suppressing these piracies." The first averment in these letters is, that the Carnation had been directed, by rear-admiral sir C. Rowley, to take up a station off the island of Cuba for the protection of the trade. It appears, from the list of vessels that sailed from Jamaica, which are regularly published in the Gazette of that island, that the Carnation sailed from thence on the 23rd of May, for Campeachy and Vera Cruz; and that the next ship that proceeded to Campeachy, was the Tamar, that sailed on the 9th of July; too late, by far, to carry any despatches to the Carnation. If, then, such directions were given by admiral Rowley to captain Walcot, they must have been given before he sailed from Jamaica. Now, can it be believed, that if admiral Rowley thought it necessary that a ship of war should take up a station off Cuba, for the protection of trade, he would not have dispatched one there direct; but that he should assign that important and pressing service to one that was proceeding on so very different and circuitous a destination? What would be thought of a military commanding officer, who, if a riot broke out in Palace-yard, instead of ordering the guards to march from their barracks in Westminster straight to the spot, were to send them round by Fulham, Wimbledon, and Vauxhall-bridge? And this would not have been a more roundabout way of arriving at his object, than a vessel going from Jamaica to the coast of Cuba by way of Campeachy and Vera Cruz. But farther, it does not appear that admiral Rowley thought any protection to the trade necessary, so far back as the 23rd of May, when captain Walcot sailed from Jamaica; for, from that date to the 1st of August, he suffered all the homeward-bound ships to sail from Jamaica without any protection; which it cannot be thought he would have done, had he considered protection necessary at so much earlier a period? A still more conclusive proof, that captain Walcot was not directed by admiral Rowley to take up a station off Cuba for the protection of the trade is, that had he received such directions, he would have obeyed them; whereas, in point of fact, he never did take up such a station for the protection of the trade, as asserted in the letter from the secretary of the Admiralty; and this is proved by a cloud of witnesses, to whose testimony I shall now refer. Captain Walcot sailed from the Havannah for Jamaica, with a cargo of specie, early on the morning of the 10th of August. Immediately on leaving the harbour, he fell in with the brig Industry, from Jamaica, bound to St. Thomas's, having on board the master and crew of the Vittoria, from Jamaica to London; both which vessels had been captured, three days before, by a pirate, off Saddle-hill. Captain Cook, of the Industry, acquainted captain Walcot with these circumstances; but, to avoid misrepresentation, I shall give his narrative in his own words, as contained in the statement he delivered to the agent for Lloyd's at St. Thomas's, on his arrival there, which was transmitted by the agent to the committee for managing the affairs of Lloyd's. In this narrative, after relating the capture of both vessels, the providential deliverance of their officers and crews, whom the captain of the pirate had determined to murder, but who was himself murdered in a quarrel that took place among the pirates, and the new captain permitting them to proceed in the Industry, he adds—"Captain Hearn and his crew remained on board the Industry till the 10th of August, when we fell in with his majesty's brig Carnation, captain Walcot, who was good enough to take them on board, and give them a passage to Jamaica," (not a cruise off Cuba for the protection of the trade, but a passage to Jamaica). The second witness is captain Hearn, of the Vittoria, who, on his arrival at Liverpool, wrote to his owner at London, and, after detailing the circumstances of his capture, and being put on board the Industry, as related by captain Cook, proceeds as follows:—"On the 10th of August, in the morning, being off the Havannah, perceived a British man of war brig coming out of the harbour: made all sail, and at half-past 6 a. m. got within hail, when it proved to be the Carnation, captain Walcot. He immediately sent his boat for captain Cook and myself: went on board, and related the circumstances. He then offered me and my crew a passage to Jamaica." Captain Hearn then states, he offered his services and those of his crew, to go with captain Walcot in search of the pirate and his brig. He then agreed, and made all sail, keeping well in shore: at night he hove to. On the 12th, made out a number of vessels, two of which he made sail towards, and one of them proved to be the ship Blackett, captain Benson, from Jamaica, bound for Liverpool, who offered him a passage, which he accepted, captain Walcot having told him, as he has since confirmed to the committee at Lloyd's, that he had exceeded his time, and must proceed to Jamaica with his specie; but that he should keep in shore, in the track of the homeward-bound Jamaica ships, in order to apprise them of their danger, till he reached the Isle of Pines. Captain Hearn speaks very highly of the zeal of captain Walcot, but says that one of the expressions he used to him was, that "it was as much as his commission was worth to stay any longer"—a declaration utterly incompatible with the assertion of the secretary of the Admiralty, that he was directed by rear-admiral Rowley to take up a station off the island of Cuba. The third witness is captain Barclay, of the ship Belina, bound from Jamaica to London, who writes from the Downs, dated the 7th October, as follows:—"August the 13th, off the Colorados, was boarded by his majesty's ship Carnation, who gave us information of the ship Vittoria being captured by a piratical schooner off Saddle-hill, along with the brig Industry, on the morning of the 7th. The Carnation had been to Campeachy, called at the Havannah, and was on her way to Jamaica, with specie on board. Both captain Hearn and captain Barclay have confirmed the statements in their letters, in personal communication. Captain Hearn declares, that captain Walcot never gave him the smallest reason to believe, that he was directed to take up a station off the coast of Cuba for the protection of the trade; but, on the contrary, the whole time he was on board, he continued his course for Jamaica, only occasionally going a little out of his way to speak to such vessels as he fell in with, and advised them not to make the land of Cuba till they had passed by Saddle-hill. Captain Hearn further states, that the Carnation might have re-captured the Vittoria (as he was in hopes she would have done), but for the want of her launch, which she had lost at Campeachy. The Vittoria was lying within the Colorados; she drew more water than the Carnation, which might have ran in before the wind, and have taken possession of her, but could not get out again from among those rocks and reefs, without warping; and having no boat large enough to carry out an anchor, was obliged to abandon the enterprise. Here, again, is a circumstantial evidence, that captain Walcot was not directed to cruise off Cuba for the protection of the trade; for, had that been the case, he certainly would have procured a launch at the Havannah, because without one, he could neither venture into shallow water with his ship, upon a lee shore, after the pirates; nor send a sufficient number of men in boats to attack them, with any prospect of success; and he could not very reasonably expect that they would come out to him in deep water, for the very purpose of being captured. Captain Barclay, of the Belina, states, that when the Carnation boarded him, on the 12th August, she was actually on her way to Jamaica, working against the Gulf stream; while he and the other homeward-bound Jamaica ships were running in the opposite direction: that she gave him and them no protection, but merely information of the capture of the Industry and the Vittoria; and advice not to make the island of Cuba till they had passed Saddle-hill. The fourth witness is captain Atkinson, of the Edward Protheroe, bound from Jamaica to Bristol; who, according to the statement he made on his arrival there, which was reported by Mr. Alderman Daniel to the secretary of the Admiralty, had his ship plundered and driven on shore by pirates, off Saddle-hill, on the 19th of August—the very spot on which the Industry and the Vittoria had been captured on the 7th. This circumstance proves to demonstration, the point established by all the former witnesses, that captain Walcot had not taken up a station in that neighbourhood for the protection of the trade; and that he was not waiting in that quarter to see the remaining vessels safe, as asserted by the secretary of the Admiralty, in his letter to the committee for managing the affairs for Lloyd's. In further contradiction of these assertions of the secretary of the Admiralty, I may quote the memorial of captain Popplewell, of the ship John; captain Reddie, of the Thisbe; and captain Cunby, of the Feliza; dated the 16th of August, off the Havannah, and addressed to sir Robert Mends, of his majesty's ship Iphigenia:—"We the undersigned masters of the ships John, Thisbe, and Feliza, actually consider it necessary, for the preservation of the property and ships committed to our charge, to put into the Havannah; and to present this petition to the captain of any of his Britannic majesty's ships that may be in the port: praying that he may afford them protection through the Gulf of Florida. The undersigned are not actuated by any groundless apprehensions; attempts having been made on the Thisbe on the morning of the 15th instant, and on the Feliza several times during the same night, by a suspicious schoonerrigged vessel, that refused to give any information as to her name, or nation; and that we only attribute our present safety to keeping close company with each other. We have strong grounds to apprehend a coalition will take place during the night, as three schooners are now in the offing, one of which we discover to be the vessel that already attempted to board us." In consequence of this memorial, captain Mends immediately directed his majesty's ship Tyne to see these vessels safe through the Gulf of Florida. The Belina, captain Barclay, and three other ships who kept company with him for mutual safety, after he had spoke the Carnation, were also dogged for three days by a pirate; and the Retrench, captain Fiott, was boarded on the 18th of August off the coast of Cuba, by two piratical schooners, who plundered her of specie, provisions, sails, boats, the master's and passengers' clothes, and maltreated the crew. All these facts prove, not only that the Carnation, captain Walcot, did not take up a station off the coast of Cuba, for the protection of the trade, or wait in that quarter to see the remaining ships safe, but that no other British man of war was so stationed, or did so wait; and that the trade were left entirely exposed to the depredations of the pirates. If any doubt could possibly remain on this subject, that doubt would be removed, as far as the Carnation is concerned, by the fact of her having arrived from the Havannah at Jamaica, in about the time in which that passage is usually made. She sailed from the Havannah the 10th of August, and, according to the Jamaica Gazette, arrived there on the 4th of September; and it is well known to all nautical men, that it requires double the time to beat up from the Havannah to Jamaica than is necessary to run down from Jamaica to the Havannah; ships having, in the former case, the trade wind and the Gulf stream against them, and in the latter having both in their favour. With respect to the Dotterel, the secretary of the Admiralty asserts, in his letter to Mr. Alderman Daniel, that "she, as well as his majesty's sloop Carnation, was, on the 12th of August last, in the immediate neighbourhood referred to in the above statement" (the statement of the plunder of the Edward Protheroe off Saddle-hill); "and my lords hope, that the attention thus drawn by his majesty's naval commanders to this point, together with other measures taken by their lordships, will have the effect of suppressing these piracies." It appears by the Havannah lists of arrivals and sailings, that the Dotterel arrived there on the 24th of July, and sailed from thence on the 11th of August. The Havannah is about two degrees from Saddle-hill, and when the Dotterel sailed, her course was not towards it, but in a very opposite direction—for New York. Having both the Gulf stream and the trade wind in her favour, she might reasonably be expected to run at the rate of ten knots an hour, or 240 miles in 24 hours after she sailed. Adding this to the two degrees, or 120 miles' distance, between the Havannah and Saddle-hill, she would be, on the morning of the 12th of August, not in the immediate neighbourhood referred to, as the secretary of the Admiralty states in his letter, but 360 miles from it, and increasing that distance with all possible celerity. In fact, in the New York Gazette of the 21st of August, is the following paragraph:—"Arrived his Britannic majesty's sloop Dotterel, captain Hendry, out nine days from the Havannah, with specie on board; spoke nothing." So far from stopping, for the protection of the trade, or the suppression of these piracies, the Dotterel sailed away from them with so much haste, that she actually made the passage from the Havannah to New York in nine days, which the Iphigenia, very shortly after, was 16 days (from the 5th to the 21st of September) in performing. It is rather unfavourable to the hope expressed by the lords of the Admiralty, that the attention thus drawn by his majesty's naval commander to this point (meaning of course the commanders of the Carnation and Dotterel just before mentioned), would have the effect of suppressing these piracies, that neither of them appears to have gone near that point at any future period. The Carnation arrived at Jamaica on the 4th of September; sailed from thence, according to the Gazette of that island, on a cruize on the 8th, and returned again on the 22nd, during which short time it was utterly impossible for her to go to the coast of Cuba, and come back again; and on the 17th of October, she sailed for Santa Martha and Carthagena. The Dotterel, on the 24th of September, five weeks after her arrival at New York with specie, was lying in Halifax harbour just as quietly as if there were no British trade to be protected, nor piracies to be suppressed. These statements directly contradict those contained in the letters from the Admiralty, dated the 9th and 10th of August, and they are further confirmed by a document of unquestionable authority—a letter or address to captain Warren, of his majesty's ship Seringapatam, signed by the British merchants at the Havannah, and dated the 14th of December last. After this testimony, given by the men who were eye-witnesses of the occurrences they relate, no doubt can possibly remain of the fallacy of the statements made by the secretary to the Admiralty, in his letters of the 9th and 10th of October last. The letters from the secretary of the Admiralty, to which I have referred, state, that the attention of the admiral commanding on the Jamaica station had long since been called to the depredations in that quarter; and that he had despatched cruizers to take up stations for the protection of the trade and the suppression of these piracies; but a subsequent letter of his, dated the 23rd of November, and addressed to the chairman of the West India association at Glasgow, in answer to a memorial from them to the Admiralty, complaining of the piratical depredations committed in the West Indian seas, the secretary of the Admiralty writes thus:—"My lords are glad to observe, that the association has not overlooked the political circumstances which have delayed the exercise of force in the suppression of the outrages committed in that quarter." If the exercise of force was delayed, as is here asserted, it becomes a curious subject of inquiry, by what other means our men of war were to accomplish the suppression of these piracies. Were entreaties and supplications to be used instead of great guns against these enemies of the human race? Were these sinners to be converted from the errors of their ways, and reclaimed from their depredations and barbarities, by preaching and praying? If so, a set of missionaries would have been more likely to succeed in this spiritual warfare, than his majesty's naval commanders. The inventive genius of the secretary of the Admiralty has probably devised some new and extraordinary scheme, for the suppression of piracies, without the exercise of force, which he will now have the goodness to explain to the House. But I shall abstain from making any general observations on the conduct of the Admiralty, and confine myself strictly to the letters on which I have commented, and the contents of which I have, I trust, proved to the satisfaction of the House, are inconsistent with truth, and calculated to impose upon the public. The committee for managing the affairs of Lloyd's felt it their duty to state to the Admiralty, the very different information which they had received. The Admiralty might have been misled by incorrect representations made to them, of the manner in which his majesty's ships, on the Jamaica station, were actually employed; and if that were the case, the committee, by laying the facts before them, gave them an opportunity of calling the parties who had imposed upon them to account for their conduct. In doing this, however, the committee studiously endeavoured to avoid giving offence; and therefore merely sent extracts of letters, without making any comments upon them. The committee had also another object in making these communications; they did expect, that the lords of the Admiralty could not but observe from them, that his majesty's ships stated to be employed in the protection of trade from the depredations of pirates, were in fact occupied in carrying specie for the emolument of their commanders, and of the admiral on the station; and they trusted their lordships would more particularly remark, that the Dotterel was destined from one foreign port to another, and therefore, in all probability, carrying specie, not British, but foreign property. In the month of April last, the committee had stated to the Admiralty, that protection against pirates had been given to ships of all nations, by the American cruizers in the neighbourhood of Cuba; that one of them had taken under her convoy a number of vessels bound from the Havannah to Europe, and they requested that orders might be sent to his majesty's ships on that station, to grant similar protection; but the answer they received was, "Their lordships cannot order his majesty's ships to grant protection to the ships of other powers." After this flat denial to a request for the protection of foreign ships and cargoes, in which British interests are concerned (for many of them are insured in Great Britain), and to which considerations of humanity alone, independent of gratitude for benefits received, might have inclined an acquiescence, the committee trusted that the inconsistency of giving protection to foreign specie would occur to the minds of their lordships; and that this trade, which, for some time past, has been the great occupation of the British ships of war on the Jamaica station, and diverts their attention from the protection of British commerce, and the suppression of piracy, might be properly regulated and restricted. At the time these letters were written, the Admiralty laboured under great unpopularity. Taunts were thrown in many of the public papers upon their naval administration, which was stated to have reduced the greatest naval power in the world to receive that protection to her commerce from the cruizers of the united states, which her own navy did not give; galling comparisons were made between the activity of the American ships of war, and the apathy of our own; and repeated accounts were given of depredations committed upon British commerce, and atrocious barbarities practised upon British subjects. At such a moment, nothing could be more opportune for redeeming the character of the Admiralty in the estimation of the public than the appearance of these letters in all the daily papers. It operated as a charm in allaying the irritation and disquietude of the public mind, and led to a general belief, that our trade was fully protected, and that the piracies would soon be suppressed: when, however, the Admiralty found that these statements did not pass current with the plain men of business to whom they were addressed, they seem to have felt sore, and they treated the committee of Lloyd's, who for many months past had repeatedly rung their dismal tales in their ears, much in the manner that Richard the third is described by Shakspeare as treating his messengers of evil tidings—

" Out on ye, owls, nothing but songs of death?
" There, take thou that, till thou bring better news:"

and the king, suiting the action to the word, gives the poor fellow a good knock-down blow. In cases where men propagate contradictory reports, the usual course is, to produce their respective authorities, and thus ascertain the truth. The committee for managing the affairs of Lloyd's did this; but the Admiralty, instead of following their example, broke off all intercourse with them in a tone of offended dignity. We have the highest possible authority for the right rule of conduct on such occasions. When one of the Apostles was incredulous, his divine Lord and Master immediately gave him the satisfaction he required; but had an individual been placed in the same situation, who had not the means of removing his doubts, what would he have done? Just what the Admiralty did: he would have talked of the marked disrespect with which he was treated, of the little confidence that was placed in his communications, and have broken off all further intercourse with the unbelieving disciple. My firm belief is, that the papers I move for, will not justify the assertion contained in the letters of the secretary of the Admiralty. If they do, they will only transfer the blame to those on whose communications the assertions in question were founded. I have shown them to be contrary to fact; and it is just and necessary that the real authors of the mirepresentations which have been made to the public should be known, in order that they may be exposed and punished as they deserve. I shall therefore now move —" That there be laid before this House, Copies of the Letters from J. W. Croker, esq., secretary to the Admiralty, to Mr. John Bennett, jun., Lloyd's, dated the 9th October last; and to Mr. Alderman Daniel, of Bristol, dated the 10th October last; together with Copies of the Minutes or Resolutions of the board of Admiralty, in conformity to which the said letters were written: also, Copy of a Letter from captain Walcot, of his majesty's ship Carnation, to the secretary of the Admiralty, dated the 12th August last: also, Copies of the Log-books of his majesty's ship Carnation, from the 10th August to the 15th September; and of his majesty's ship Dotterel, from the 11th to the 22nd of August last: also, Copy of the Address from the merchants at the Havannah to captain Warren, of his majesty's ship Seringapatam, dated the 14th December last."

Sir *G. Cockburn* said, he was not without hopes of proving to the satisfaction of the House, that the statement of the hon. gentleman was erroneous, and his comments unfounded; for he (Mr. Marryat) had mixed up with his statements, observations on the board of Admiralty. He (sir G. Cockburn) would therefore first address himself to reply to the insinuations thrown out against the board, and would afterwards reply to the statements respecting a force employed for the protection of the trade. Previously to receiving the letter from the committee at Lloyd's, of the 7th October, the Admiralty had received a letter from captain Walcot, of the Carnation, in which that officer stated, his having sailed from the Havannah, and having learnt from the captain of the Industry, the capture of that vessel and the Vittoria, as he was going to take up his station off Cape Antonio, for the protection of the trade, agreeably to the orders which he had received from rear-admiral Rowley; but, from the information which he received, he had thought proper to bear up, in the expectation of falling in with some of the merchant vessels from Jamaica; and, accordingly, he had fallen in with 17 vessels, which he had seen safely round Cape Antonio, and that the Dotterel would not probably fall in with them afterwards. The Admiralty replied to captain Walcot, approving of the variation which he had made from his orders. The House would perceive from this, that it was quite clear captain Walcot had orders to go to Cape Antonio, for the protection of the trade; and that, in consequence of the information from the captain of the Industry, he had varied his orders, for the purpose of seeing those ships safe which he had fallen in with; and, in point of fact, he did not quit the station, till he had boarded the Clarendon, and was informed by her that she was the sternmost ship of the season. It was the duty of the Admiralty to give the information which the letter of captain Walcot contained; and the spirit and substance of it was truly given; and when captain Walcot had boarded the Clarendon, and learnt she was the last ship of the season, there could be no doubt of his having performed that duty which he went to perform. With respect to the Dotterel, she was reported by captain Walcot's letter to be going through the Gulf, and it was likely, therefore, she would be useful, either by preceding or joining the merchant vessels. The Admiralty contented themselves with saying, that she was in the neighbourhood; not as the hon. gentleman had stated, that she was stationed in the neighbourhood. When they were giving information, they had no idea of their words being twisted from the sense in which they were used; and he was persuaded that no more correct account could have been given of the contents of captain Walcot's letter. At that time, the Admiralty had no idea of any offence; but, the next day they received a letter from Lloyd's, telling them that their information was incorrect. The Admiralty perceived that they had got the information of the Carnation having sailed for Jamaica, but imagined that they did not know of her having fallen in with the Industry. As to the arrival of the Dotterel at New York, that might still be, and yet she might be in that neighbourhood ten days before. The Admiralty, therefore, wished to see the gentlemen of Lloyd's, and to inform them of the disposition of the naval force in the West Indies (a circumstance not so proper to put into writing); for, out of the nine or ten vessels that were there, there was not a single vessel but was employed for the benefit and protection of the merchants. The Admiralty had no idea that the gentlemen would not come, but they were given to understand that Saturday was a day on which they liked to amuse themselves, and that they would come on Monday. However, when that day arrived, they said, "No, we will not come, as we have been invited by the secretary, and not by the board." The Admiralty replied, "that if the invitation was not correct, they were sorry for it; it was from mistake." Now, he would submit, that, standing as they did in the situation of commissioners for executing the office of lord high admiral of England, it was as much as they could or ought to do, to say, "We did not mean to offend you." After writing them that description of letter, the committee answered in a manner which rendered it impossible to continue the correspondence with them. They stated, that they knew no reason why the Admiralty should wish for verbal communications, and to avoid giving them written documents; and they added, that it would be necessary for them to have documents in writing, in consequence of the information which the Admiralty had given them being incorrect, as compared with that which they had got from other quarters. It then became absolutely necessary not to go on with an angry correspondence: and, to put an end to it, the Admiralty stated to the committee, that although they were ready to give all the information in their power, not only to any body of merchants, but to any individual, yet they could not submit to the marked disrespect with which they had been treated; and, though the Admiralty had thought it necessary to adopt this line of conduct, yet, if the public interest would have suffered the slightest inconvenience from it, they would have paused ere they decided; but whilst there were committees of shipping, and committees of trade, it was not absolutely necessary for the Admiralty to keep up a correspondence with Lloyd's. It was the general principle at Lloyd's to insure the ships of all nations, and therefore it might be more proper to give the information to the shipping interest themselves, rather than to them. He submitted, and he trusted the House would bear him out in the proposition, that the Admiralty were the proper judges whether they were to give the information verbally, or in writing.—To revert to the subject of the disposition of the force: the Carnation was sent, not for money, but to the Gulf of Mexico. She communicated with the merchants there, and at their earnest desire, took specie on board, and afterwards went to the Havannah. The Tamar had similar orders, and she was cruising in the Gulf of Mexico at the time. By the way, the hon. gentleman had all along argued as if Cape Antonio and Saddle-hill were the same thing, whereas Saddle-hill was 120 miles from Cape Antonio. But, to return to the subject of the force. The admiral had two months before that, as early as the 19th of May, sent the Scout on that station to endeavour to cut off the pirates; but the yellow fever had broken out on board her, and she was obliged to give up her station, and the admiral then sent the Tyne to take the same station. The hon. gentleman had complained, that no convoys were appointed; but, from what the admiral stated, it would appear that no merchant had asked for convoy till the 27th of July. Something had been insinuated, as if the Admiralty were mortified at the statements and complaints in the public papers. He should not reply to that, as he hoped there was more mind at the Admiralty than to care twopence about those statements. Had they wished to make up a case, they might have stated that the Tyne, Tamar, and Iphigenia were stationed for the protection of the trade, though, in point of fact, they did not know that the Tyne had arrived. They had, then, the Iphigenia, Tyne, Tamar, and Scout, and the Dotterel going through the Gulf of Mexico; and with that force, was it fair to say, that there were no men of war on the station? But, in fact, no convoys would do. During the last session, he had stated to the House, that such was the nature of the coast of Cuba, that the communication was kept up by passage vessels; and when the marauders saw a merchant vessel, they went with their long knives on board one of those packets, and proceeded in that way to board and carry the merchantmen. Convoys could not afford adequate protection, for ships would straggle: an application was therefore made to the Spanish government, and he had the greatest pleasure in saying, that the Spanish court immediately wrote a satisfactory answer; on which a copy of the letter was sent to the admiral, that he might report what had been done on the coast of Cuba. The admiral immediately despatched a frigate, and learnt that the Spanish authorities were before us, and that the Spanish government had acted with the greatest good faith in losing no time in despatching orders to America. Comparisons had been made between the conduct of this country and America: but, what was the course of proceeding? When the Macedonian went down, she was refused the liberty of landing; but with us, the Spanish government had acted in concert, sending their troops to check the pirates on land, whilst we acted by sea; and the result was, that 19 pirate vessels were captured, 20 of their crews killed, 40 taken by us, and 17 by the Spaniards, making a total of 77; most of whom would doubtless be hanged, and that would prove the greatest check to their manning their vessels in future. The hon. member had insinuated, that the officers had not done their duty, because they were intent on speculating and making money; but it happened, as if expressly for the admiral's justification, that he had applied to the merchants to ship their specie in merchant vessels, but they replied, that it would be the ruin of the trade in dry goods; and indeed last year the merchants of Glasgow had applied for stricter orders, and a greater facility being given for the freight of specie in king's ships, and after some time orders were sent to the admiral to that effect. It was, therefore, rather hard now to turn round upon him, and make it matter of accusation against him. For the reasons he had given, he should oppose the production of the papers moved for.

Mr. *T. Wilson* expressed his regret, that any misunderstanding had taken place between the Admiralty and Lloyd's. He considered the Admiralty justified by the statement of the hon. officer; but he could not say he was satisfied that the trade had received all the protection to which it was entitled.

Sir *Isaac Coffin* said, the conduct of the gentlemen at Lloyd's reminded him of the fable of the frog and the ox. As an old officer, he was ready to declare, that no board had done so much for the country as the present board of Admiralty. The behaviour of these gentlemen at Lloyd's had been most indecent. The lord mayor, or the directors of the East India company would have considered it no disgrace to wait on the Admiralty. He defended the conduct of admiral Rowley, and said, that a more honourable person was not to be found. The charge against the Admiralty would, he trusted, be treated with contempt.

Mr. *Bright*, though he concurred in much of what had fallen from the hon. officer, was not satisfied that sufficient protection had been afforded by the Admiralty to the trade on the West India station. The force might have been well employed, such as it was; but it did not appear to him that it was sufficient. The hon. member quoted a resolution of a meeting of the merchants of Kingston, complaining that the seas were infested by pirates, and that the squadron employed was inadequate to the defence of those seas. He also observed, that the island of Nassau had fitted out two vessels at its own expense, for which they ought to have been repaid by the government. This was another proof of the inadequacy of the naval force. He trusted that the Admiralty would omit no means of prosecuting the men who were already taken, and that they would take care to protect the trade in the ensuing season.

Sir *G. Cockburn* said, that the two vessels provided by the island of Nassau were not fit for the service upon which they were employed, being too large to act with effect against the pirates. The Admiralty had felt it their duty to send vessels which could follow them any where, and also to send an overwhelming force.

Mr. Alderman *Thompson* regretted that the gentlemen at Lloyd's did not go to the Admiralty, but hoped that a good understanding would for the future exist, and that the hon. gentleman would consent to withdraw his motion.

Mr. Secretary *Canning* rose, for the purpose of enforcing the suggestion of the hon. member who had spoken last. He trusted that, as every fair purpose which could have been hoped for had been answered by the discussion, the hon. mover would not think it necessary to persevere in obtaining a vote which would cast blame on the Admiralty, when, in fact, there was no real ground for censure. He should, however, deal unfairly with the House, if he omitted to state, that having been the only member in town at the period of the communications alluded to, he had been of opinion, after the last letter from the committee of Lloyd's, that no option was left to the Admiralty as to any further communication. Before that letter, he had had every wish for the continuance of the intercourse; but, when the committee thought proper to state, that they would receive no other than a written communication from the first public board in the kingdom, and when the alternative had been presented, either that the Admiralty should wait on Lloyd's, or that Lloyd's should wait on the Admiralty, it could not be reasonably expected that the latter would submit. But now that it was agreed on all hands, that the intercourse and communication between those boards was for the public benefit, he hoped that they would go on as had hitherto been the custom, and that after that night, none of the disagreements and misunderstandings which had broken out would continue. If any difficulty still existed as to the mode in which the invitation should be couched, that might be obviated by a reference to some established authority, on points of etiquette so momentous. The gentlemen might consult Dr. Trusler's principles of politeness, or some other book of equal weight, and then they would readily devise some means of giving the invitation, by which the possibility of giving unintentional offence might be avoided. There was another point, however, of a nature a little more serious, and upon this he wished to say a few words. The measures which had been taken, involved not merely a question of department. It was found that no amount of naval force alone could accomplish the object which was so desirable; namely, the extirpation of the pirates, unless their operations were assisted by a land force. This latter force must consist either of the inhabitants of that country of which the pirates also were natives, or they must be landed there for the purpose from English vessels. It was extremely doubtful whether the Spanish government would co-operate for this purpose; and it was therefore necessary that all the circumstances should be well weighed before any decisive step should be taken. No gentleman who recollected the accounts with which the newspapers were filled in the last autumn, could hesitate to admit the necessity of this delay. The simple fact, that application had been made for permission to land British troops at the Havannah for this purpose, had filled Europe with reports, that that place was about to be occupied by a British force. Whatever blame had been incurred on this occasion, must not fall upon the Admiralty, but upon the government—it was a matter of state, not a matter of department. Orders had at length been given to land English troops in spite of resistance, if resistance should be made. The court of Spain, it must be confessed, had at first evinced some national, and, in this instance, very natural pride, at finding such an order had been made; but they afterwards acquiesced. No man could wonder that a proud government should have seen such an order in a different light from those by whom it was made; and, therefore, every man must agree that delay was necessary before it was decisively adopted. He had thought it necessary to say thus much in justification of the subject. As to what remained, it related rather to the graces, than to the matter of the subject; it was rather a point of politeness than of serious importance. He hoped that the hon. gentleman would give the first example of returning good humour, by withdrawing his motion; and he trusted that the intercourse would in future be carried on with that urbanity and spirit of conciliation which could alone make it useful.

Mr. *Marryat* said, that the committee of Lloyd's had been urged to take the steps they had taken, not by a feeling of individual interest, but from an imperious sense of public duty. He concluded by stating, that he would evince his concurrence in that spirit of conciliation which had been recommended by the right honourable gentleman, by withdrawing his motion.

The motion was accordingly withdrawn.

HOUSE OF COMMONS.

Wednesday, March 5.

SOCIETY OF JESUITS—PETITION OF WILLIAM PARKER, COMPLAINING OF THEIR SECRET PRACTICES.]—Sir *T. Lethbridge* rose for the purpose of presenting a petition from Mr. William Parker, of the city of Cork. He had no acquaintance with the petitioner, but he believed he was well know to the hon. member for Cork. The petition contained various allegations, for the truth of which the hon. member did not intend to vouch; but as it contained information from various quarters, relative to a subject which was shortly to come before the House, he had thought fit to present it. There was contained in it also one charge, which in particular he would not be understood to vouch for: it was against an individual holding an office, and whose name he would not have mentioned if he could have avoided it—he meant Christopher Bird, the colonial secretary at the Cape of Good Hope. The petition set forth, that the petitioner had headed a party of settlers, who, in the year 1819, had proceeded with the authority of government to that colony. He went on to state the petitioner's belief, that most of the calamities which had afflicted the world would appear, if they were properly explained, to have proceeded from the secret and insidious practices of the Jesuits, who, under the pretence of being a religious society, were, in fact, a formidable political sect. That they had been founded by pope Paul 3rd, for the purpose of counteracting the glorious effects of the reformation. The history of the Jesuits proved that they had always been hostile to monarchs, whether Protestant or Catholics. However beneficial the propagation of knowledge might be, the Jesuits must, in the words of the historian Hume, "bear the reproach from posterity, that by the very nature of their institution, they were engaged to pervert learning, the only effectual remedy against superstition, into a nourishment of that infirmity; and as their erudition was chiefly of the ecclesiastical and scholastic kind (though a few members have cultivated polite literature), they were only the more enabled by that acquisition to refine away the plainest dictates of morality, and to erect a regular system of casuistry, by which prevarication, perjury, and every crime, when it served their ghostly purposes, might be justified and defended." The petition concluded by praying, that the House would direct an inquiry at their bar, or in a committee, by which the practices of the Jesuits, not only in England, but in the colonies, and particularly at the Cape of Good Hope, might be exposed. By this proceeding, the petitioner proposed to show the conduct of lieut.-col. Bird (whom he stated to be a Jesuit, and whose brother was the chief priest of the Jesuit etablishment at Stoneyhurst, in Lancashire, by whose baneful influence the petitioner had suffered. The hon. member then proceeded:—It would be in the recollection of many members, that in the year 1814, the pope had established the order of Jesuits. In the same year, an hon. baronet (sir J. C. Hippisley) had stated in his place in that House, that a sum of 30,000*l.* had been transmitted from Rome, for the purpose of erecting Catholic establishments in Ireland. He had, at the same time, read a letter from one of his correspondents, confirming that statement, and adding, that the learned body were vigorously employed in propagating their doctrines. It had been stated by some Irish county members, on a former occasion, that they knew nothing of the increase of Jesuit establishments in Ireland. He had, however, good reason for believing they had largely increased. The Hardwicke-street chapel, in Dublin, and the school at Harold's-cross, three miles from the city, which had been bargained for by Dr. Murray, the coadjutor of the titular archbishop of Dublin, were sufficient to convince him of this fact. He should, perhaps, be asked, what harm this learned body had done? He supposed they would not so often have been turned out of various nations if they had done no harm; and if this question should be pressed upon him, he would answer it by another; he would ask, what good they had ever done, or were likely to do, to this country? [A laugh.] It might afford merriment to the hon. member for Westminster, but he (sir T. Lethbridge) was in the performance of a solemn duty. As a representative of the people, he was presenting the petition of an aggrieved individual: he did not vouch for its accuracy, but he would not be diverted from the performance of this duty, by any thing but sound argument. He repeated, that the Jesuits would not have been driven from so many communities, in various quarters of the world, if their presence had not been found to be mischievous. Having done harm in other countries, they might also do harm in this. The emperor of China had expelled them from his dominions in 1726. They had been driven from Paraguay, in 1733; from France, in 1763; from Bohemia and Denmark, in 1766; from Naples, Malta, and Parma, in 1768; and from Spain, Venice, and Genoa, in 1797. Buonaparté's opinion of them was expressed in a book lately published. The author, who, it seemed, was in the habit of asking a great many questions, had asked him what he thought of the Jesuits and their doctrines? Buonaparté was a pretty good judge of mankind, and knew most people's doctrines: he said that they acknowledged no supreme government, but that of the general of their own order, from whom all other authorities emanated, and without whose delegation no authority could exist, and therefore, said he, "I would never suffer such people in my dominions." The people of this country ought to know, that this learned society was much more dangerous than the right hon. gentleman opposite (Mr. Plunkett) seemed to suppose. For his own part, it seemed to him that certain recent transactions which had occurred in Ireland were connected with some dark under-hand plot, which he wished to probe and fathom to the bottom. He recollected last year, when the attorney-general for Ireland delivered his sentiments on the Popish Peers' bill, that he spoke of the disturbances in the sister country as being of a partial nature, arising from a feverish irritation, which would be speedily put down. But, what had the right hon. gentleman said since that period? On some recent trials, he had asserted, "that there was a secret Popish association, which would shake the constitution to its centre." A few months before, the right hon. gentleman had made a very different statement. The great cause of the misery of Ireland was the ignorance in which the people were kept by the Catholic clergy. That body proceeded on a system which was at variance with the spirit of the British constitution, and contrary to that toleration of which gentlemen were so fond of speaking. A gentleman who had written a work for the purpose of removing the ignorance, and illuminating the mental darkness which prevailed in Ireland, had stated, that in many places where Hibernian schools were instituted, he had known the children to be driven away from them with whips; and, in one case, where some benevolent persons had formed a seminary for the benefit of the poor, a Roman Catholic bishop had come down, and, in an evil hour, broke up the establishment. No man more sincerely regretted than he did, the necessity which existed for bringing this subject under the notice of the House; but he had a duty to perform, from which he would not shrink. He would now move for leave to bring up the petition.

Mr. *Hutchinson* said, he would make a few observations, as he had been particularly alluded to by the hon. baronet. He was acquainted with Mr. Parker, the petitioner, who, in every relation of life, was a most exemplary character. He believed him to be an aggrieved individual; who, when he left this country, had indulged in expectations, which unfortunately were not realized. He proceeded with a very large family and several followers, to the Cape of Good Hope; and certainly he had a claim upon government, because the hopes which had been held out to him and others proved to be fallacious; he lost his property, and was seriously injured. He lamented exceedingly that Mr. Parker had alluded to colonel Bird, the colonial secretary. He had felt it to be his duty to inquire who col. Bird was, and he understood that, for several years, he was employed in the department of the commander-in-chief. He was afterwards placed in a subordinate situation at the Cape of Good Hope, and was ultimately raised to that of colonial secretary. He had been introduced to public life, under the auspices of the late Mr. Windham. The *gravamen* of the petition was, that to the establishment of the society of Jesuits in Ireland, all the outrages, bigotry, crimes, and miseries, which disgraced that unfortunate country were to be attributed. The hon. baronet had alluded to certain petitions on this subject which had been presented by the hon. member for Armagh. He did not meet the hon. gentleman, as to the assertion of Jesuit or no Jesuit; but he met him broadly on the statement, that the outrages which prevailed in Ireland, were to be traced to that body, and that statement he opposed with the most unqualified contradiction. Nothing could be more impudent, more false, or more unfounded, than the assertion contained in the petitions which had been presented by the hon. member for Armagh. As far as he knew any thing of the state of Ireland, the misery which had afflicted that country for centuries, was not created by the machinations of Jesuits, but arose from other and very different causes. It was disgraceful for any man at all acquainted with the history of Ireland, to attribute the misfortunes of that country to the conduct of the Jesuits. The Jesuits were charged with introducing ignorance, misery, and disaffection into Ireland. Now, for his own part, he did not know of the establishment of any body of Jesuits, as such, in Ireland. In 1819 or 1820, cardinal Gonzalvi stated in his letter to Dr. Poynter, that the pope had not restored the society of Jesuits in Ireland, because the government of this country did not wish it. The cardinal observed, that the society of Jesuits was restored in the Two Sicilies and in Russia, because the emperor Paul and the king of the Two Sicilies had petitioned the pope for its restoration: but that it had not been re-established in Ireland, on account of the hostile feeling of the king and the government towards that body. He had seen paragraphs in the newspapers, relative to an establishment in the county of Kilkenny. That establishment was under the superintendance of Dr. Kenny, a most learned divine, and a most accomplished man in every respect. He believed, that that gentleman had received abroad the education necessary for a Jesuit; but he could not say that he was one of that order. He had, for some years past, established a seminary at Clangoes-wood, where he had several learned individuals under him in the capacity of assistants. So far was his establishment from being calculated to produce disaffection to the government, mental darkness, or brutal ignorance, that it had, during the few years it was in existence, sent to the Protestant university of Dublin several young gentlemen, who had obtained premiums and honours in that university. So far from that seminary being concealed from the public, it was open to the examination of every person. This was known to the duke of Leinster, to lord Cloncurry, and to various other noblemen and gentlemen who had visited it. So distinguished was the answering of the young gentlemen on a recent occasion, that their preceptors received the thanks of two of the fellows of Trinity College, Dublin, for adding so much to the learning of Ireland. It was also a well known fact, that in the neighbourhood of Clangoes, the manners of the people were much improved, and presented a striking contrast to the manners of the population in other parts of the country—a circumstance which was attributable to the formation of that establishment. And yet petitions, daring to charge such an institution with the outrages and miseries under which that part of the empire was suffering, were laid before parliament! He knew not whether the establishment at Clangoes had any connexion with the south of Ireland; but he wished to God it had, for he was sure it would produce much benefit. When the hon. member for Somersetshire, and the hon. member for Armagh, were made the unconscious instruments through which falsehoods were stated to the House—falsehoods affecting five millions and a half of people—it was of moment that the House should be undeceived; and that they should not hurry to the consideration of that important question which would be discussed next month, with all that British ignorance relative to the real situation of Ireland which prevailed to so lamentable an extent. It was absolutely necessary that the ignorance of that House, with respect to Ireland, should be enlightened; until gentlemen became truly informed of the state of that country.

Mr. *Wilmot* protested against the discussion which the hon. baronet had introduced, as being wholly irrelevant to the matter immediately before the House. The petition set forth that Mr. Parker went out as a settler to the Cape of Good Hope; that he failed in realizing the expectations he had formed; that he had encountered various misfortunes, and all this he attributed to colonel Bird, whom he accused of being a Jesuit. If either of the hon. members thought Mr. Parker had any reason to complain of the conduct of government, it would be competent for him to present a petition on the subject, and it would then remain for him (Mr. W.) to lay before the House all the information which the colonial department possessed relative to his case. If the two hon. members were to devote the whole of their time till the same hour to-morrow, in the perusal of Mr. Parker's correspondence with the colonial department, they would not be able to get through it. Mr. Parker imputed the failure of the harvest at the Cape, and all his misfortunes, to the circumstance of colonel Bird's being a Jesuit. The petition certainly presented the most extraordinary *non sequitur* ever heard of since the days of the renowned Partridge. If any clear and plain allegations were brought forward against colonel Bird, it would be the duty of the colonial department to consider them: but it was beyond his comprehension, how the hon. baronet could come down, after a day's notice, to sanction a petition attributing a series of misfortunes, including the rust in wheat, and a variety of unfavourable harvests, to the influence of colonel Bird's Jesuitical principles. One circumstance connected with the petition undoubtedly gave him pleasure. He could not help thinking, that if the hon. baronet could give so much of his attention to the consideration of the affairs of Mr. Parker and the religious principles of colonel Bird, his impression as to the extent of the agricultural distress could not be so powerful as it formerly was.

Mr. *Hobhouse* said, he should be very sorry to do any thing which the hon. baronet might consider indecorous; but when he had heard all the misfortunes of the sister isle, even the failure of the crop of potatoes, ascribed to the Jesuits, he could not avoid smiling. The hon. baronet wished the House to imitate the conduct of the emperor of China in 1726; and because his Tartarian majesty had, at that period, expelled the Jesuits, he conceived the British government ought to pursue the same course in 1823. He hoped the petitioner would come to the bar of the House, and bring a Jesuit with him. A Jesuit was a sort of historical creature. He had travelled as far, he believed, as the hon. baronet, and yet he had never once met with a Jesuit. He should really be glad if a Jesuit were produced, that they might see what sort of an animal it was with which they had to contend [A laugh.]

Mr. *Hume* said, he conceived that Mr. Parker had good ground of complaint against the colonial government; but he certainly had no right to mix it up with observations on the Jesuits. With respect to the petitions presented by the hon. member for Armagh, they were not, as he had been informed, signed by any respectable individuals. Could that hon. member, of his own knowledge, state where any establishment of Jesuits existed? For his own part, he should have no objection if there were 10,000 Jesuits in Ireland, and the colonies full of them.

Mr. *Brownlow* said, that when, on a former evening, he was asked whether he knew of the existence of Jesuits in Ireland, he had pleaded ignorance. He had, however, since received letters from different parts of Ireland, censuring his ignorance on that point, and stating that there were unquestionably establishments of Jesuits in that country.

Ordered to lie on the table.

ORANGE SOCIETIES IN IRELAND.]—Mr. *Abercromby* said, that before he entered upon the subject of his motion, relative to certain secret societies in Ireland, commonly called Orange societies, he was anxious, in order to avoid misconception, to declare, that he had no intention whatever of alluding to the merits or demerits of the marquis Wellesley's administration. Whenever that subject came to be discussed, he should consider himself as free as any other member of the House to deliver his opinions upon it. Neither was it his intention to interfere, in the smallest degree, with what was called the Catholic question. The subject which he should develope that night, he would treat in such a manner as to entitle him, he trusted, to the votes both of the advocates for concession to the Catholics, and the supporters of their political exclusion. His motion would rest on general grounds, and would not disentitle him from receiving the support of both the classes he had mentioned, or of that of any other description of persons. He was well aware, that the notice of his motion was said to have created considerable agitation on the part of certain classes of persons in Ireland. It might be so; and he was ready to admit and assume that to be the fact; but, so far from its being a reason against the discussion of this subject, he thought the very agitation which was said to prevail, was the strongest argument in support of the necessity of consideration with the least possible delay. When it was said that persons connected with this Orange system felt averse from this question, it ought at the same time to be admitted, that there were others, and a very great majority of the people of Ireland, who loudly called for this discussion. Under such circumstances, it was incumbent upon parliament to probe the matter to the bottom, and pronounce a legislative opinion upon the merits of the case. If it could be shown, that the Orange system ought to be maintained on solid ground, that its maintenance was essential to the peace, the tranquillity, and the good order of Ireland, then let truth prevail, and let the government of Ireland openly and manfully support such an institution. If, on the contrary, it could be shown, that that system was productive of incalculable and perpetual irritation—that it operated banefully upon a sensitive people—that it was subversive of good order, and utterly destructive of peace and tranquillity, and moral improvement, then, again, he would say, let truth prevail, and let the arm of the legislature be extended to put down such a system. All he desired was, that the subject should be fairly, fully, and temperately discussed, without prejudice to either Catholic or Protestant. To both he was prepared to contend, that the abolition of this system would prove an inestimable benefit—to the Catholic, by the removal of a galling principle of irritation—to the Protestant, by separating him from motives and imputations which could not fail to disunite him from the great body of his fellow-countrymen. He respected both those classes; he wished to treat with indulgence their passions and their prejudices; but he respected the due ascendancy of the known laws and constitution of his country, much more than he did the separate interests of either party; and it was because he did so, that he was anxious to secure for the whole people of Ireland, the undivided benefit of the British constitution, to obtain for them the due and equal sway of the laws of their country. That was his predominant object, and for that alone he felt a paramount solicitude. He wished also to state, that it was in no respect his intention to impute motives to any persons individually or collectively—to those who acted under the Orange system, or to their opponents. What he would direct their attention to was, the system itself—a system which, in his opinion, was vicious and productive of much evil, and which, if not unconstitutional, was in many respects illegal. It was a great question, not only for the people of Ireland generally, but for the Protestant part of that population, to consider whether it was not most unfortunate, that such a system had grown up amongst them—whether the Protestants, in assenting to it, had not taken a most erroneous view of their own interests, and embarked in proceedings which, if sanctioned and prolonged, must eventually be subversive of the legitimate constitution of the country, destructive of the beneficial authority of the government of Ireland, and, both there and in England, productive of the most disastrous consequences.

Having stated these general grounds upon which his motion rested, he would now direct the attention of the House to the origin, nature, and character of the Orange system itself. He was compelled, in tracing the progress of that system, to open that part of the history of Ireland which commenced with the recall of lord Fitzwilliam in 1795, and ended with the legislative union of the two countries in 1800—a page of history which no good man could open and read without feelings of sorrow and shame at the perusal—sorrow, for the dire sufferings inflicted upon the unfortunate people of Ireland; shame, at no where seeing that the perpetrators of these wrongs and inflictions were detected, discountenanced, or punished. This was a sad and melancholy truth; but it was also an instructive one. If they looked at the events attending the recall of lord Fitzwilliam, they would find them pregnant with instruction. And here, again, he begged to observe, that he had no intention whatever of entering into the merits or demerits of that recall politically; but, as an occurrence, he must show that the recall of that lord lieutenant, and the measures which ensued upon it, had a combined operation, which demonstrated in the most clear, strong, and decisive manner, that the worst policy which could be acted upon in the government of Ireland, was one of a vacillating and temporizing nature. This truth could not be too strongly inculcated. If they looked to the hopes of one great party, which were necessarily excited by lord Fitzwilliam's appointment, and the fears of others, which were as naturally felt—the expectation of privilege and concession on one side, and the dread of the loss of office and monopoly on the other—then, if they looked at the ultimate success of the smaller party, and their exclusion of lord Fitzwilliam, and coupled with it the disappointment, mortification, and humiliation of the larger party, they must at once see, that, in a country circumstanced as Ireland was by notorious civil distractions, the worst thing which could befall the people was an alternation between hope and fear. The smaller party, who had triumphed as it were in achieving lord Fitzwilliam's recall, felt themselves in the situation of persons who had extinguished an unsuccessful rebellion: they acted, as it was too much the practice of human nature to act on such occasions, with little forbearance towards their opponents, and recorded their triumph in the increased severity of their rule; and, in the disgraceful outrages which were then perpetrated, none were so conspicuous or more disgraceful than those which were committed in the vicinity of Armagh. It was for a long series of years the unhappy fate of Ireland to have her peace broken, and interrupted by the successive occurrence of tumults and disturbances, under the name of one banditti or another. On that occasion, there were in the neighbourhood of Armagh two contending parties waging war against each other in open day, under the names of Defenders, and Peep o' Day Boys,—the former of the Catholic, and the latter of the Protestant religion. These people fought a pitched battle, in the county of Armagh. The Peep o' Day Boys were victorious, and ever after maintained a complete ascendancy. It was out of this outrage that the name of Orange societies began. The more powerful party being Protestant in that district, proceeded to acts of summary vengeance upon their opponents, which, there was great reason to believe, were winked at by the local magistracy, and which were marked with excessive cruelty and injustice. They poisoned the fountain of justice, and judges, jurors, prosecutors, witnesses, and executioners, were alike selected from the opponents of the defeated party. A war so waged was attended by all the horrors of its nature. The Defenders (as they were called) were pursued and expelled from their homes, under all the sufferings of cruelty and destitution. That expulsion from their homes and their country was effected upon so large a scale, that were he to enumerate the number of families so ruined, as recorded by the historians of the day, he feared he should be charged with the grossest exaggeration. The sense entertained by calmer men of these atrocities, could not be better collected than from resolutions which were adopted at the time by some of the magistracy of the county, with their lord lieutenant (lord Gosford) at their head. In December, 1795, they assembled, and their first resolution, supported by a speech from lord Gosford, in full coincidence with its import, was to this effect—"That the county was thrown into an uncommon state of disorder, and that its Catholic population were grievously oppressed, and plundered, and driven from their homes and lands, by a lawless banditti."

Why did he advert to these facts? Not to involve the members of the existing Orange societies in a participation in these outrages, for they had always disclaimed them; but to show from dates, that their institution had commenced at the time of these outrages in the vicinity of Armagh, and that the assuption of the name of Orangemen was a great and fatal error, connected as it was with that of the perpetrators of the cruelties upon the Catholic population of the district. It was a subject of deep and painful regret, that, circumstanced as Ireland was at the time, Orange institutions were established. The assumption of that particular name, under the circumstances he had described, was a fatal and most unfortunate error. The inevitable tendency of names, in such a condition of society, was peculiarly galling and dangerous. He meant not, he repeated, to charge these outrages uopn the Orangemen, for they had disclaimed them; but on the banditti which had inflicted them. The great difficulty, however, was, to convince the sufferers that there was not an identity between the Orange system and their persecutors; and from thence arose the religious disunion and irritability between the two classes. In order to put the House in possession of the manner in which the Orange societies had been established, and the objects they professed to have in view, he would read copies of rules adopted by them—one set in the year 1800, the other in 1820. These societies were composed of grand lodges, lodges, grand masters, masters, treasurers, deputy treasurers, secretaries and committees, and they had various orders of orange, purple, and other colours. The resolutions for 1820 were retrospective, and showed the sense which even the Orangemen themselves entertained of the abuses which had crept into their institution. One passage in the resolutions set forth, that since 1800, great abuses had found their way into the system of the lodges; and that the committee, from several circumstances, had obtained knowledge, that various, jarring, and imbecile ceremonies had been admitted, which were not only unknown in the original institution of the Orange lodges, but which were "repugnant to common sense, offensive to the religious feelings of their Christian brethren, and offensive even to common decency." They then declared that they wished to remove these blemishes from the societies, and to combine, in the proper solemnity of initiation into their fellowship, those due forms, which were becoming on an occasion when a man was about to dedicate himself to the performance of certain duties as a loyal Protestant; and also to guard them from the operation of the "indiscreet zeal of over anxious brethren." Here was a proof that the Orangemen themselves felt the evil consequences of the system they were pursuing, and were anxious to retrace their steps. The paper which he would next read, was the declaration of the grand Orange lodge in the year 1800, with respect to the nature and objects of its institution. After declaring, that they associated in honour of king William 3rd, of glorious memory, and from whose illustrious house they had assumed the name of Orange, they proceeded thus:—"And we will annually celebrate the victory gained by that Protestant monarch over king James, at the Boyne, on the anniversary of that memorable day, namely, the 1st of July (old style) in every year." He did not wish too strictly to criticise words; but looking to the enormous extent and influence of an association of this kind, it was impossible not to feel some jealousy, not only at the language of this declaration, but also lest their civil and military power should sometimes be exerted most improperly, upon occasions which to them might seem exceedingly loyal and proper. He knew not upon what sound or legal principle bodies of this kind were to assume to themselves, as the Orange lodges unquestionably did, a discretion of saying what were, or what were not, such just and proper opportunities for their exertions. He now wished to state a very important passage, occurring in the "general declaration" of these societies, which had been altogether omitted in their former declaration, and was first published in 1820. What was the reason of this omission he did not know; but he was happy to refer to the passage, because it showed that these Orange societies were bound distinctly to the same sort of engagements as the men of Armagh had been :—"And we further declare, that we are, exclusively, a Protestant association ; yet, detesting as we do any intolerant spirit, we also declare, that we will not injure any body for his religious opinions, provided they be such as are not hostile to the state." The oath directed to be administered professed allegiance to his majesty king George 4th ; and the new member engaged to support the constitution in church and state, as by law established, and recognized the descent of the crown to be in his majesty, his family, and successors, "being Protestants." In the former oath the phrase was, "the Protestant ascendancy." Now, there could be no doubt that an engagement to support the Protestant ascendancy might, in the strict sense of the terms, appear loyal and constitutional enough ; but, in the general usage of the words, especially among Orangemen, he believed they might have a meaning very different from their apparent import, which was, merely, a king professing the established religion of these realms. Before the year 1782, these persons denominated themselves "the friends of the English interest ;" but, after 1782, when Ireland had some prospect of obtaining a free legislature, and something like national rank and consequence, these associations changed their name, and became "friends of the Protestant ascendancy." Many persons had objected even to these words, "being Protestants," as if they implied some qualification of the oath. From this objection, he (Mr. A.) dissented, because it was the known and constitutional language of the law. The oath of the initiated party went on to aver, that he had not been, nor then was, a Roman Catholic or Papist ; that he was not a member of the society called "the United Irishmen," nor of any other body of men associated for any purposes hostile to the laws and institutions of the land ; and that he had never previously taken any oath of secrecy to such associations : that he would, as far as in him lay, assist the magistrates in the execution of the laws ; and the oath concluded in terms to this effect :—"And I solemnly swear, in the presence of Almighty God, that I will conceal, and never will reveal, either a part or parts of what is to be now privately revealed and communicated to me, unless to a brother Orangeman ; I first knowing him to be such, after strict trial and by certain words and indications which Orangemen pass between one another ; that I will neither write, nor cause to be written, such matters, lest they should so become liable to be made known to those from whom they should be concealed. So help me God, and keep me steadfast in this my Orangeman's oath." The House would observe, that here there was an obligation upon every member of this Orange society, that he would always conceal, and never would reveal, either a part or parts of what was now to be privately communicated to him. Hence it was quite clear, that some private communications, at the time of the member's initiation, was made to him. It was impossible to conclude, when it was found, that they who framed this oath were so earnest in enjoining secrecy, that there was not something communicated, which it was most important for the state to be informed of. What it was, however, it was impossible for him (Mr. A.) to conjecture : whether, at the time of initiation, any thing improper was revealed, he could not state. Of this, at least, he was certain ; that it was impossible for that House to cast a cold or indifferent view upon the proceedings of those societies, whether they looked to their nature or their numbers, their authority or their wealth—their dangerous power, or the jealousy which they were calculated to excite throughout the kingdom. He could not imagine upon what principle this oath had been so particularly worded, unless there was something communicated at initiation which was not fit to be revealed. Let it be remembered, too, that the oath was as much intended to keep that matter from being revealed to his majesty's government, as from any other quarter. It was to be revealed only to a brother Orangeman. So that, in point of fact, if there was any thing to be communicated to his majesty's government essential to the welfare of the kingdom, it could not be revealed except with the permission of the Grand Lodge of Dublin. There was no telling to what this kind of association might lead ; seeing that it extended over a very considerable portion of land, and combined so large a number of wealthy and powerful individuals.

He would now advert to what had been determined on and agreed to by them in the year 1820, under the head of "secret articles." One of these ran thus:—"We are not to carry away money or goods, or any other property whatever, from any person whatsoever (except arms and ammunition only), unless such person be an enemy." Now, who but an Orangeman was to decide who was or who was not an enemy? Did the article mean a public or a private enemy? If he was to be considered as a private enemy, the society, and parliament, if it tolerated it, opened a door to the gratification of every malignant passion. It left every man, not an Orangeman, liable to the enmity and vengeance of him who was one; and to all the consequences of that enmity. If a public enemy was meant, it remained to be asked, who was he? He knew of no public enemy except a subject in a state of rebellion. In a case of that kind, there might be some justification for combining to put down a public enemy. But, who was to decide, in a country so divided as Ireland was, who this public enemy might be? Where party ran so high—where the materials of faction and enmity were so abundant—was it to be left to the Orange society to select and designate him? The other secret article was this:—"We are to appear, upon a lawful summons from the grand master, at an hour's warning, or at whatever other time may be thought fitting, in the place which may be appointed; or else be subjected to a fine, such as the grand master may think proper to impose." This, again, was a stipulation of a very important character: by it 60,000 men were to be called together, on occasion, at an hour's warning.—He would now advert to another set of persons called "Purplemen." It was material to observe, that the same secrecy was enjoined between the Purplemen and the Orangemen, as between the Orangemen and all the rest of the world. He entreated the House to bear in mind also, that these Purplemen were the highest order of Orangemen; and to recollect the wording of that general declaration of the society, in which they evinced so much anxiety to guard against the indiscretion of their friends. With the Purplemen originated those resolutions which regarded the introduction of Orangemen into the army, and organization of Orange lodges. A more complete abuse than this, of influence, control, and the means of intimidation could not be imagined. It was a species of control, which, from the character of secrecy that marked the proceedings of the association, it behoved the House to watch with the utmost vigilance and jealousy. Those Orange lodges became very soon afterwards powerful and arrogant. They adopted a tone which was altogether new and striking. They addressed the people of Ireland, as if they themselves were the government. They spoke in a language which, to say the least of it, was as decided and authoritative as that of the government itself. In 1797, which was not quite two years after the first establishment of their body, a proclamation appeared, addressed by them to "the loyal subjects of Ireland," and signed by the secretaries of certain lodges, in behalf of the whole association. The language of this paper was of the same lofty character. They said, that "they had been accused of principles which would be disgraceful to human nature, and of being bound together by oaths which it would be shocking to repeat." The proclamation, as if it had been intended to prove all that he had objected against the society, went on to complain of misrepresentation, and to protest anew what their object was: "We therefore think it high time to rally round the constitution, and pledge ourselves to each other to maintain the laws, and to defend our good old king against all his enemies, whether they be rebels to their God, or to their country." Who, he would ask, had constituted these Orangemen the judges between their fellow-men and God? In 1800, they addressed another proclamation to the same persons, and in the same form as the preceding one, and having relation to what was to be done by Orangemen in regard to the Union. Of the Union it declined to express any opinion; but it still assumed, that the Roman Catholics were the enemies of Orangemen. It was necessary the House, to see the evil tendency of such a society, should observe the relative situations of the Catholic and Protestant interests in Ireland. The Protestant body had all the office and power, and almost all the riches of the country. The other had little or no power; no church establishment; and their priests were indebted to the bounty of their own flocks for their support. A large proportion of the landed property was in the hands of Protestants, and, above all, there was a total absence of that most important link in the chain of society, a wealthy, enlightened, and independent middle class. The state of Ireland was shortly this—that a very small portion of the community had a large establishment, with nearly all the power, authority, and influence; while a large portion of that community, composed of persons of a different religious persuasion, had no authority, and scarcely any influence or power. Now, it would be obvious to every gentleman, that when the government of a country, professing its willingness to confer on that country new and free institutions, to depart from former principles of pure despotism, and to proceed on more liberal and enlarged plans, removed a variety of restraints, repealed a number of grievances, and extended to the nation many important boons; and when, above all, it gave the people a free press, a state of things was immediately created, which it required the utmost wisdom, moderation, and temper, to deal with. The great evil of such a state of things was, that it must give rise to quarrels, heart-burnings, and resentments, which every pains should be taken to allay; and especially by a manifestation, on the part of the government, of the most impartial kindness, and the utmost forbearance.

He had already said, that the Orange societies were in themselves exclusive; and it had been well observed, that the mere circumstance of their being so, stamped them with a character of danger and illegality. This was apparent, because a man might present himself as a candidate for admission to any post or office, might plead the correctness of his life, and his faithful discharge of his various duties as a father, a friend, and a subject, and yet be refused and rejected, because (supposing the influence of this association to prevail) he was not an Orangeman. Their regulations stipulated, that every year there should be a public celebration of the anniversary of the battle of the Boyne. Now, if this celebration took place in a country which was wholly Protestant, there could be no objection to it. But, when it was remembered, that it recalled to the minds of the larger portion of the community, not only that this was the triumph of men who, being the smaller number, had the largest share of the power and wealth of the land; that it carried along with it to that larger portion—the Roman Catholics—a feeling of humiliation, and a sense of defeat, its impropriety could be no matter of dispute—its evil consequences no matter of astonishment. Injurious as it was, it was yet more to be deprecated, because it was a low-spirited triumph. If the Orangemen had a right to march in processions, with their trumpets, their drums, and their banners, should it be said, that the Catholics had not an equal right to do so? But, he contended, that every procession of the kind was only calculated to excite bad feeling, and to disturb the peace and tranquillity of the country. If a Catholic encountered the procession, and retired from a sight so displeasing to him, to seek some consolation for it in the recollections which he might indulge in his chamber, of the authority and the fame formerly enjoyed by his ancestors—was the Catholic to be blamed for doing so? It was said, that the Catholics liked to indulge the recollections of their former greatness and authority: but, if this was a matter of regret, what possible means could the Protestants have devised better calculated to awaken and keep up those recollections.

The hon. gentleman proceeded to deprecate all processions of the kind; and observed, that as to the superior loyalty for which the Irish Protestant was always ready to give himself credit, as over his Catholic countrymen, he (Mr. A.) should look rather to his conduct and demeanour, both in regard to himself and his neighbour, for the test of that loyalty. Such a man should be studious by his own loyalty, to confirm that of his neighbour. Did any one suppose, that an annual celebration of king William's victory over king James at the Boyne was likely to attain it? Was it likely to be attained by our reminding them that this was the anniversary of the day on which we defeated them? If it was to be permitted to a body of men consisting, perhaps, of between 200,000 and 300,000, to bind themselves together for particular purposes, by oaths of secrecy, by what right were the Catholics to be prevented from forming similar associations? If self-defence was to be the principle assigned for the establishment of this society, surely one party had as good a right to associate as the other. If the defence of the laws and the maintenance of the constitution were to be alleged as the objects of the Orange societies, he answered, that the Roman Catholics were equally interested to defend the one and to maintain the other. Finally, if parliament was to permit the Protestants to form these associations, they could not, surely, prohibit the Catholics from founding similar ones.

Another point on which he wished to say a word was, the dependence which the government placed upon the exertions of the yoemanry corps in Ireland. Government relied upon their aid in maintaining the peace of the country; but it was well known, that the greater part of these corps were formed of Orangemen. It could not be expected, therefore, that theirs should be a national feeling. It was that of party; and, in calling in their aid for the repression of every public commotion, no very great reliance should be placed upon the steadiness of men, whose existence as a body was supported by party feelings. He only mentioned this in passing, and to show the extension of the party prejudices to which it gave rise. The effects of this general party feeling was experienced in the administration of justice in that country. Supposing a man to be tried for any offence, and that that man was a Catholic: he found that the magistrate who had received the informations, the sheriff who summoned the jury, the jury itself, and the judge who presided, were all Orangemen; and, as he had said, the man who was to be tried was a Catholic. He did not mean to infer, that such a jury would return an unjust verdict, or that the judge would pronounce an unjust sentence; but then they were men like others, and subject to the same prejudices. Would any man, no matter what was his offence, and particularly if it were a party one, wish to be tried by a court and a jury who were so much opposed to his own feelings? It was found in that House, where they were divided into parties, that the feelings of members were influenced by the party to which they belonged. Would such influence be denied? And, if such were the case here, how much stronger must it be in a country, where almost every thing, not even excepting the administration of justice, was influenced by party? The result was this, and it was an unhappy one—that in that country there was nothing like the same confidence in the administration of justice, which was to be found in England. If, then, a judicial proceeding were carried on by an Orange judge and an Orange jury, must it not weaken the confidence in the administration of justice, however fairly conducted? Would not the person so tried, from the natural feelings which would possess most men, on being convicted under such circumstances, say, that he owed that conviction to his having been tried by a party different from his own? And would not the result be to diminish the authority of the law so administered? It would be in the recollection of the House, that when the question of Orange institutions was, on a former occasion, before it, a right hon. gentleman, the then president of the board of control, had alluded to and condemned such associations—had spoken of them as so objectionable and injurious in their tendency—and had added, that their institution in England was so contemptible, that it would be only necessary to have the expression of the feelings of the House known on the subject, to put an end to them altogether. Upon such an explanation of the opinions of the government, the motion then made on the subject was abandoned. He now mentioned this, for the purpose of hearing from the same right hon. gentleman some reasons why Orange institutions should be put down in England, and supported in the sister country?—Now, it might perhaps be said, as against the policy of the present motion, that since the communication by lord Sidmouth of the king's letter, recommending conciliation in Ireland, the number of Orange lodges had increased; and that in all probability, after the decision of the present motion, there would be an addition to their number. If any gentleman could prove this—if he could show that the king's letter had increased, and that the present motion was likely to increase such institutions, he would be doing that motion the greatest service. What would this be but saying, that, after the declaration of the wish of his majesty for union and conciliation—after the declaration of the opinions of that House against the policy of such associations—they still increased? Would it not be saying, that such institutions would continue to act against the will of the king, and the opinion of parliament: that they were enrolled for the purpose of counteracting the intentions of government, and that Ireland was not to be governed by a lord lieutenant, acting by the directions of the king's ministers; but to remain under the influence and control of Orange soicieties in declared opposition to both? If this were the case, he would only say, that the jealous spirit which had opposed itself to the mild administration of lord Fitzwilliam, to the conciliating government of lord Cornwallis; that the spirit which had opposed itself to the attempts made by Mr. Pitt for general concord, was still in existence, and that it had its scource in, and was supported by, the Orange lodges of Ireland. Even Mr. Pitt had felt the fatal influence of that party: he had found that it would be a weight upon the measures of any mild government; and one of his arguments in support of transferring the legislature of Ireland to this country, and uniting the two parliaments, was founded upon this opinion. In advocating the question of the Union, he had said, that there would be "an impartial legislature, standing aloof from party connection, sufficiently removed from the influence of contending factions, to be advocate or champion of neither, being so placed as to have no superstitious reverence for the names and prejudices of ancient families, who have so long enjoyed the exclusive monopolies of certain public patronages and property, which custom has sanctioned, and which modern necessity may justify—a legislature who will neither give way to the haughty pretensions of a few, nor open the door to popular inroads, to clamour, or to invasion of all sacred forms and regularities, under the false and imposing colours of philosophical improvement in the art of government." If what he (Mr. A.) had before said was true, we were now in the same situation in which Mr. Pitt had found himself; and there was no hope left for Ireland, but in an impartial legislature, standing aloof from all party connexion.

He would now say a word as to the legality of these institutions. He would maintain that they were illegal; and, whoever looked to the 50th of the late king, as it applied to secret associations, would find, that the Orange institutions were decidedly illegal. But, without entering into the discussion of that act, he would refer to an opinion given by the Court of King's-bench in Ireland, from which it would be clear, that all such secret societies were illegal. In a trial which had recently taken place in Ireland, it was urged as an objection to the evidence of a certain witness, that he was not entitled to credit on his oath. The case was put hypothetically. It was said, that he belonged to an Orange society, and that as such he had taken an oath not to divulge the secrets of his brethren. If he kept that oath, it was contended his evidence was not entitled to weight; for he could not be expected to tell the whole truth. If he broke it, he was still a perjurer on oath, and in either case he was not worthy of credit. The lord chief justice, in summing up, adverted to the objection in this manner:—

"Another topic has been glanced at, in order to show that the Atkinsons are unworthy of credit, which the court feels itself bound to advert to. It was stated, hypothetically, that if it be the part of the oath or obligation of an Orangeman, to keep inviolate the secrets of his brethren, these witnesses ought to be stigmatized for violating that oath. No such oath or obligation has been proved to exist. I trust it could not have been proved; for if such an engagement forms part of the Orangeman's oath, it would be impossible to administer the justice of the country in any case such as the present, in which one Orangeman is concerned as a party, and another as a witness. Nothing of the kind has been proved, and we are to hope and presume that it does not exist. But if, unfortunately, it had been proved to exist, it would have been the bounden duty of the judges, who are sworn to administer the laws, to state to you, that the crime of the witnesses would consist in the observance of such an oath, and not in the violation of it; and that if two inconsistent obligations should come into collision in any man's mind, the one voluntary, secret, and unlawful (for unlawful such an oath unquestionably may be), and the other public, and sanctioned by the laws of his country, as an oath in a court of justice is, it would be the duty of that man, upon every principle of law, of morality, and of religion, to observe the oath he had taken in court, and trample upon the criminal obligation by which he had bound himself elsewhere."*

After such high authority, he thought it was not too much to say, that he was well grounded in calling the Orange associations illegal. Indeed, it would be weakening his case, if he were to dwell farther upon that point. If this, then, were so, he would ask, what steps had been taken to put down that which the first law authorities in Ireland had declared illegal? The motion with which he should conclude would be for an address to his majesty, calling his attention to the existence of such societies in Ireland, founded upon secret oaths, and assuring his majesty, that the House would co-operate most cordially in any effort, to enforce the due administration of the laws in that country. He would admit, that the body against which they had to contend was a powerful one; and that being so, no greater service could be done to the country, than by the distinct expression of the opinion of parliament on the illegality of such institutions. He did not call upon them to make war upon the Protestants of Ireland in consequence of the existence of these illegal institutions. He was aware of the character and power of the Protestants in that country, and that no government could be efficiently carried on without their aid; but he thought the House would be going a great way towards restoring the peace and harmony of that country, by pronouncing upon the illegality of such institutions. He did not wish to press his majesty's government one step. All he asked was, that the House should declare its opinion, and leave to the government the best means of carrying those opinions into operation. The hon. and learned gentleman then recapitulated the heads of his argument, and went on to show, that one of the great objects of the Union would be frustrated by the continuance of such illegal societies, by which the transfer of English capital to Ireland was prevented, property rendered insecure, and the number of absentee landlords kept up by the difficulties which were presented to the disposal of Irish estates, to those who, under other circumstances, might be disposed to purchase and reside on them. The existence of such associations was also one of the causes of rendering so large a military force necessary in Ireland. He did not mean to call upon the government to put down those associations: "to put down," would be too harsh a term; but he did say, that if the government was itself united in opinion upon the subject, they would soon have the Orangemen as good and loyal subjects, and as subservient to the will of the lord lieutenant of Ireland as any other portion of the community. But the great evil was, that it was believed, and no effectual steps had been taken to destroy the belief, that a sort of countenance and support were given to such institutions. But, if government were once to set its face against them—if it would only enforce the due authority of the law, it would soon put an end to all such illegal institutions.—The hon. and learned gentleman concluded by moving, "That an humble Address be presented to his majesty, humbly to represent to his majesty, that his faithful Commons, deeply deploring the existence of those dissentions by which Ireland has been for so great a length of time agitated and convulsed, and which, among other evils, have led to the formation of Societies founded on exclusive and unconstitutional principles, beg leave to assure his majesty of their cordial and zealous concurrence in all measures necessary for sustaining and enforcing the laws, for giving to the people the full benefits of the constitution, and for aiding his majesty's paternal solicitude for the establishment of concord and union in Ireland."

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* Report of the recent Trials in Dublin, by Richard Wilson Greene, esq.

Mr. *Goulburn* said, he had never risen with stronger feelings of anxiety than those by which he was then overpowered—an anxiety founded upon no personal considerations, but arising out of a feeling that this question was so closely bound up with another subject which was likely to come before the House, that he feared it would open a door, not only for premature discussion, but for much misrepresentation. He could not but regret that the hon. and learned member had thought it his duty to agitate the subject at the present moment; and the more so, as there was, in a short time, a question to be brought forward which would, to a certain extent, involve the present. He had hoped that the hon. and learned member would have yielded to the request made by a right hon. and learned friend of his, to postpone his motion for a short time. He trusted, however, that the fears he entertained with respect to the discussion, would turn out to be unfounded. And here he felt bound to pay the hon. and learned member, who introduced the motion, the tribute of his thanks for having done so, without making a single observation which could prejudice that discussion to which he (Mr. G.) alluded. And he would implore those honourable members who might take a part in the discussion, to follow the example so laudably set them, and at least to do the Irish government the justice of not bringing their conduct prematurely under discussion. It could not be expected that he should concur in the motion made by the hon. and learned member; but he had no difficulty in stating, that he concurred, in a greater or less degree, in a great part of what the hon. and learned member had said. He felt no hesitation in avowing, that such societies as those described must be, in any country, not only productive of great inconvenience, but be also objects of general suspicion. In ordinary life, any plan which excluded a portion of society from communion or fellowship with the rest, excited feelings of distrust and hatred in the minds of the persons excluded; while the persons excluding them, could not fail of being imbued with feelings of contempt and disregard for the persons whom they oppressed. If this feeling were carried into political life, the case must become still stronger; as still more bitter feelings must be entertained, of hatred on the one side, and contempt on the other. But the exclusion from any political society would be felt in proportion to the value set upon the principles or opinions which caused that exclusion; and if this feeling were once extended to religion, a subject upon which men felt most strongly, of course the greatest animosity would be felt. But, when he made the admission, that all secret societies were to be discouraged, he bound himself to the principle of the motion of the hon. and learned gentleman, and not to the observations contained in his speech. The motion was directed against all societies bound together by secret obligations, whilst the speech of the hon. gentleman and the charges it contained were against one society Feeling, as he did, an objection against secret societies, he (Mr. G.) was yet anxious to draw an exception in favour of the Orange society — the objects and the principles of that society being widely different from the many societies in Ireland which were bound together by secret oaths, by obligations to subvert the government, and to overturn the constitution. On the other hand, the Orange societies were bound by their obligations to support the laws and the legal authorities of the land, and to contribute to the maintenance of public tranquillity. Though the Orange societies were open to grave and serious objections, yet he would say, that they were ever ready to come forward in the defence of the country, and for the maintenance of legal authority. Although he did not mean to dispute that the Orange institutions were liable to many grave and serious objections, still he could not forget that the members of them had always been ready to come forward in times of difficulty, in any manner that the legitimate authorities had thought proper to prescribe; he could not forget that, during periods of considerable doubt and hazard, when men were wanting to enforce the due execution of the laws, these persons had upheld the constitution, had maintained the public tranquillity, and had entitled themselves to receive, nay, had actually received, the applause and approbation of parliament and of the country. He was, therefore, the more anxious that these institutions, though bound together by engagements which he could not altogether approve, should not be confounded with other institutions, whose conduct had been widely different, and whose objects were perfectly distinct. He was aware that, in the administration of the law, previous good character could not be taken into consideration by the judicial authorities; and if any Orangeman were to bring himself within the limits of the law relating to secret associations, he should be the last man to require for them any exemption from its operation, on account of the services rendered to the state by the institutions to which they belonged. Nor, indeed, did he believe that he should meet with the support of those institutions, if he could be induced so far to neglect his duty as to attempt to obtain for them any remission of punishment on that account. The hon. and learned gentleman, in the course of his speech, had not forgotten to refer to the outrage which had caused the formation of the Orange societies. In so doing, he thought that the hon. and learned gentleman had not acted with perfect propriety: inasmuch as no good purpose could be answered by referring to scenes which had occurred many years ago, in the midst of every species of alarm and confusion. The common complaint made by hon. gentlemen in that House, when speaking upon the affairs of Ireland, was this—that past outrages were ever present to the minds of its inhabitants, and that thus party feelings and party enmities were perpetuated among them, from generation to generation. He could wish that every person who entered upon questions of Irish policy would refrain from entering into a discussion of times and circumstances, in which there was undoubtedly much cruelty to condemn, many circumstances to regret, but nothing from which any thing could be derived to benefit or conciliate the present generation. The hon. and learned gentleman had stated, that the Orange institutions had been formed in the year 1795, to put down certain outrages which were at that time desolating the province of Armagh. He had read a declaration in which the framers of them disclaimed all participation in the outrages which had been committed, as was then said, in support of the Protestant religion, and asserted that their sole object was to support the laws, and to assist in carrying them impartially into execution. The hon. and learned gentleman had stated, that when the institution of similar societies in England had come under discussion in that House, there was a strong feeling expressed against them; and he had proceeded to call upon a right hon. member to repeat, on the present occasion, the bold and manly sentiments which he had formerly uttered in their condemnation. He joined with the hon. and learned gentleman in that call; because he was of opinion, that every thing that could be done in the way of advice to those associations, by showing the dangers that they were likely to create, would be attended with great advantage to the community. That was the proper method of attacking such institutions; indeed, it was the only way of counteracting the principles which led to their formation. The hon. and learned gentleman asserted, and with truth, that these institutions originated from the strong party feeling which existed in Ireland; and yet, how did he endeavour to remove and remedy it? Not by the ordinary method of taking away the causes from which it sprung—not by avoiding every measure which could be construed into any thing like a triumph of one party over another—but by calling on parliament to examine into the nature of Orange institutions, and by pointing them out to public hatred and animadversion. He had before said, that he could not concur in the proposed address; and he said so, because he was sure that there was no man so unskilled in parliamentary tactics as not to perceive, that if he concurred in it, he made a tacit admission, that there had been a reluctance, on the part of the government with which he was connected, to take any measures that were calculated to suppress the secret societies which were so numerous in Ireland. The House was not in the habit of addressing the crown to enforce the laws, except in cases where the executive government had shown a reluctance to execute, or a partiality in administering them. On this ground, he should oppose the proposed address; and in doing so, he would take advantage of the opportunity to state, that there had not been the slightest reluctance, on the part of the Irish government, to enforce the existing laws against all secret institutions, whether of one description or another. If the hon. and learned gentleman could have pointed out a single case, in which an Orangeman had been screened from punishment because he was an Orangeman, or in which a Catholic had been subjected to penalties from which an Orangeman had been exempted, he would admit that sufficient ground would have been laid for acceding to his address; but, in the absence of all proof—nay, even of all charge—of such misconduct on the part of the Irish government, he could not think of agreeing to an address which implied blame, where no blame was admitted to exist. Still, though he could not agree to it, he was ready to assure the House, that the Irish government viewed the existence of secret societies with feelings of strong anxiety and alarm. Indeed, the first measure which it had advised, after it was called into existence, was a measure to enable it to put down certain societies that were united together by a bond of secrecy, and confederated to overthrow all that was sacred and valuable in the institutions of Ireland. Had the present motion come on at a later period of the session, or had it been possible for him to have introduced, so shortly after its commencement, a measure which had been suggested by the lord lieutenant, the House would have seen, that the Irish government had been busily employed in assimilating the law of Ireland, relating to secret societies, with that which now happily existed in England, and in preparing a bill which would give to the executive government in the former country, the same facility to detect and punish them that was given to the executive government in the latter by an act passed in 1799. He did not mean to ask the House to extend the powers of that act to Ireland, upon the same grounds that they had been formerly granted in England. That act was founded on the necessity of putting down certain secret associations which at that time existed in this country, and which were actively engaged in carrying on a traitorous correspondence with foreign states. Happy was he to state, that no necessity of that nature existed at present in Ireland. He had, however, occasion, in November last, to bring to trial certain individuals, who were connected with the very worst description of secret societies; and it was then found, that the existing law would not reach them, and that a law with certain additional powers was necessary to punish offences of a similar nature. It would therefore be seen, from the despatches of the lord lieutenant, which would shortly be laid on the table of the House, that he asked of the government, and through the government, of the parliament of the country, to grant him the additional powers, which the circumstances of the times rendered so necessary. The House would, in consequence, be called upon very shortly to enact a general measure, and one of such a nature as would not exempt from the operation of the law any society which committed an overt act in violation of it. He was of opinion, that the government had not been inactive, and that it was not necessary to address the crown, either to enforce the due execution of the law, or to take such measures as circumstances rendered necessary. He should therefore conclude by moving the previous question.

Sir *J. Newport* declared, that he would not support the motion, if he thought it calculated to throw any censure on the Irish government. Until he had heard the right hon. secretary declare the intention of the Irish government to assimilate the law of Ireland with regard to secret societies, with the laws of England, he could not have anticipated that any such measure had been in contemplation; knowing, though he did, that such a law was much more necessary in Ireland than it had ever been in England. Year after year had he wearied the House with his endeavours to convince it of the impolicy of allowing any secret societies to exist. It was, therefore, most satisfactory to him, and he had little doubt but it was equally satisfactory to his hon. and learned friend, to hear that the provisions of the act of 1799 were to be extended to Ireland. That was the way to proceed. It was idle to permit the existence of these secret societies under any pretence. They tended to embarras the government, and to divide the people; and Ireland, unfortunately, had too long been governed by the policy of dividing its people. He was glad that that policy was now to be abjured. The debate of that night would produce effects as satisfactory to the House, as they would be beneficial to the country. He hailed the measures of which it had produced the declaration, as auspices of good to Ireland. He trusted that the people of Ireland would be taught by them, that it was their duty to associate, not in support of secret and exclusive interests, but of the general interests of the whole country. The best way to enforce the laws was to make it the interest of the people to obey them; and that could only be done by convincing them that those laws were to be administered for their protection, and not, as had been too frequently the case, for their coercion and punishment.

Mr. *Dawson* said, that representing a body of electors who had the strongest feeling upon the subject, and entertaining himself, feelings at least as strong as theirs, he must claim the indulgence of the House for a short time. Perhaps in his situation it would be the more prudent course to remain silent, but he could not conceal from himself, that silence on such a subject would be as disgraceful to him as unjust to his constituents. He expressed his acquiescence in every thing which fell from his right hon. friend, the secretary for Ireland, but he hoped he should be pardoned for entertaining feelings somewhat warmer on the subject. He spoke as an Irishman, and as one connected with all those who were attacked by the present motion; his right hon. friend, as an Englishman, and uninfluenced by any local ties. He rejoiced that an opportunity had at length arrived of discussing the question on its own individual merits; that the day had come when truth might be heard, when the calumnies cast upon a loyal body of men might be refuted, and when the House and the country, by hearing both sides of the question, might decide how far the Orange association was illegal, and how far it deserved the imputations which had been so unsparingly heaped upon it. An outcry had been raised, whatever might be the merits and demerits of the association, and no effort had been spared to create an unpopular feeling against it. The public press, particularly the press of Ireland, had entered into a general confederacy to give the name of Orangeman to every party, nay, to every man who opposed their prevailing line of politics: it teemed with invectives, it teemed with misrepresentations, to convert every petty feud between a Protestant and a Catholic into an Orange outrage. These reports were eagerly caught up by the demagogues in Ireland, and, he was sorry to say, by some members of the House, to raise an outcry, and when once raised, few people had either the candour to examine the charges impartially, or the courage to appear in their defence. The Protestants of Ireland had to complain, that no artifice was spared to involve them in the sweeping accusation which had been attached to the Orange association. It was become a practice to give the name of Orangeman to every person who opposed the Catholic claims. The Speaker himself was an Orangeman; the members for Oxford, for Kent, for Somerset, and many about him were Orangemen—the yeomanry were Orange, the police Orange, in short, the whole Protestant population were Orangemen; it was become a name of censure, and was in general application through Ireland; but he agreed neither in the censure nor the application.—Before he sat down, he should state how far, and under what limitations he approved of Orange societies; but in the outset he rejected, as unjust, the application of any name which could leave an impression on the minds of the people of England, that those who opposed the Catholic claims were actuated by party motives, or bound together by any ties unknown to the law, or dangerous to the constitution. Though a great majority of the Protestants of Ireland approved of the principles of the Orange association, yet he called upon the House to take their opinion of those principles, not upon the character given of them by their political opponents, but upon the fair and manly exposition of those gentlemen, who were neither ashamed nor afraid to avow their participation in them. A fair character of the Orangemen might as well be expected from the hon. and learned gentleman, or from the Catholic body, as a fair character of his majesty's government might be expected to be found in the pages of the Morning Chronicle; and he called upon the House to suspend its judgment, and to cast away any prejudice which might be exerted by the unceasing denunciations of a certain class, both in England and Ireland, until it had ascertained from those gentlemen who took an interest in the subject, and who were well informed upon it, how far the principles of the Orange association were justly liable to the imputations cast upon it—how far they were subversive of the constitution, and dangerous to the safety of the empire.—In tracing the principles of the Orange association, he must claim the indulgence of the House, whilst he referred to those periods alluded to by the hon. and learned gentleman, and corrected some historical mistakes, into which he appeared to have fallen. He had stated truly, that the Orange association originated in times of great confusion in Ireland. The two parties, which he named, the Peep o' Day Boys, and the Defenders, were in constant hostility to each other: their feuds, at last, increased to such a degree, that most parts of the country became a prey to nocturnal robbery and assassination. The Peep o' Day Boys having gained a trifling advantage, the Defenders entered into a systematic combination with the United Irishmen to overturn the state; and having renewed the conflict, in which their furious zeal and fanatical spirit became apparent, reduced the country to the last stage of misery. So far the history of the hon. and learned gentleman and his own agreed: but, as the factions were of different religions, the Peep o' Day Boys being Presbyterian, and the Defenders Catholic, he left the House to suppose that the Orange association, which arose at this time, took its origin from the former faction: but the fact was not correct. The mischiefs created by these two factions were so great, that the Protestants in the neighbourhood of these transactions became alarmed, and in September, 1795, formed themselves into a body for their protection against both, and for the maintenance of the constitution in church and state, attacked, by both, as established at the Revolution by the prince of Orange. At this time, the society of the United Irishmen had arrived at full maturity, had excited the discontented into actual rebellion, and had actually negociated with a foreign enemy to invade the country. It was natural, therefore, that the loyal body which had been formed in Armagh, should rise into public notice: its principles were approved of, and great numbers of the lower orders of Protestants flocked to become members. As their numbers increased, their loyalty increased also, and they opposed an effectual barrier to the progress of sedition. So far this institution must have the support of every loyal and well-affected man; it was formed to suppress rebellion, and was mainly instrumental in that object; but as the numbers increased, as it spread in various ramifications through the country; as men of property and talent became members of it, a design was formed to reduce the society into a mere methodized form; to adopt rules and regulations for ensuring regularity and consistency, and to introduce oaths and signs, by which the members were not only bound to adhere to the principles of their confederation, but by which they were enabled to prevent the introduction of any suspicious person. Now, this was the point which, in his opinion, was objectionable. He thought the obligation by oath was adverse to the spirit and letter of the law: he could not see how separate laws could be made for different societies; and, if the administration of an oath, unauthorized by law, was declared to be illegal, he could not conceive how any society could be justified in binding itself by an oath, no matter whether its principles were of the purest, or of the worst kind. He would object to any society where the bond of union was an oath, the principle of confederation secresy. In such associations, how often might private feeling and public duty be at variance; how often might that designed for the very best object be perverted to the very worst purpose: all confidence in the great tribunals would be impaired, all respect for the legislature weakened; and he never could countenance such an anomaly in the constitution, as secret oaths and obligations, not only unauthorized, but even forbidden by the law.—But, though he objected to secret oaths, he was bound to ask, was the prevention of that system the sole object of the hon. and learned gentleman? Did he confine himself to a mere detail of their illegality? Could not something like a party motive be detected? But, if he was free from a party motive, how would the debate be received in Ireland? Would it not be considered as a direct attack upon the principles of Orangemen; nay, would it not be received as a bold dragoon's attack upon all the Protestants of Ireland? Why did he select Orange societies as the object of his attack? There were other societies bound together by secret oaths as well as the Orange. If the system was objectionable, why not attack those which were obnoxious in principle? But the object was too palpable to deceive the most inexperienced person in parliamentary tactics; and though he acquiesced with the hon. gentleman in his reprobation of all secret combination, yet a distinction ought to be made between the associations of the loyal and the associations of the disaffected; and he would not allow one solitary objection to blind him to the value of the other parts of their union, or deter him from repelling unmerited aspersions, cast upon a loyal body of men. With the exception of secret oaths, he had no hesitation in avowing his entire approbation of the principles of those men, designated Orangemen; and he defied the hon. and learned gentleman to prove, either in their history or their conduct, any thing like disloyalty to the state, or a desire to foment disturbance and riot. When the country was a prey to rebellion —when a most unnatural coalition was formed between the United Irishmen and the Roman Catholics—when the Catholic committee in Dublin were organising the numerous dupes of their rebellious designs—when the United Irishmen were purchasing arms, drilling their associates, and even negociating with a foreign enemy to invade the country, the Orangemen were the only body of men which remained firm to the government of the country. They rallied round the constitution; they acted as a counterpoise to the progress of seditious societies; they were mainly instrumental in the suppression of the rebellion; and, though they were bound together by the same oaths which bind them now, yet their services were so signal and so zealous, that the value of them was publicly recognised and reported to government by generals Lake and Knox, and their conduct was the universal theme of praise in the Irish parliament. In those times of difficulty and danger, the cry was not against their secret oaths and secret obligations; not against their banners and processions; but that they were the preservers of their country; that they established by their courage and their loyalty, the throne of the king, the power of the law, and the constitution in church and state.—Their principles had remained unvaried from the year 1795, down to the present period. The times might have altered, but the principles of the Orange association had remained unchanged; and, whatever might be the issue of the debate, those principles would be appreciated in history, and when contrasted with the conduct of other parties which had prevailed at different periods in Ireland, they would redeem the character of the country from the general imputation of the neglect of every social and civil obligation. Within a very short period appeared in Ireland, the different factions known by the name of the Hearts of Steel, Hearts of Oak, Peep o' Day Boys, Defenders, United Irishmen, Shanavests, Caravats, Thrashers, Carders, Ribbonmen, Whiteboys, and he knew not how many others. They were all bound together by secret oaths; their object only was different according to their wants: some directed their attacks against the property of the church; some against the property of the landlord; some against tithe proctors; some against middlemen; some against the Protestant, others against the Presbyterian establishment; but all, all were united against the law—all were leagued in a crusade against the state; and what was a curious feature in the history of their combinations, there was, with the exception of the Peep o' Day Boys, one and the same religious spirit, animating and exasperating them all. But, what was the conduct of the Orange association? It was a refuge to the distressed, an asylum to the oppressed; it was a rallying point to the loyal and well-affected; and all good men looked to it as the only protection against their sufferings and misery. But if there was such a contrast in the principles, let the House contemplate for an instant the career of these different associations. He meant the Hearts of Steel, the earliest offenders against the law, down to the Whiteboys of the present day. Theft, robbery, perjury, murder, assassination, had followed each other in dreadful succession—they had become the invariable characteristics of each successive faction. No matter whether the United Irishman conspired against the constitution, or the Whiteboy against rent, tithes, taxes, and law, the means employed by all were the same, the most cruel tortures, the most horrible murders, the burning of men, women, and children. And now, as a counterpoise to all these atrocities, as a proof that the spirit of all associations was the same, as a proof that the Orange was as bad as the others, the House was told, that Orangemen were guilty—of what? of murders, rapes, and assassination? No—that they annually dressed king William's statue—that they walked in processions, waving their flags to the great dismay of his majesty's Roman Catholic subjects—that they celebrated the exploits of their ancestors, by playing the tune of the "Boyne Water"—and that they committed the unpardonable and unconstitutional offence of drinking "the glorious memory" [Hear, hear!]. Gentlemen might cry hear, hear; but those were the only offences alleged against them. They were said by the hon. and learned mover to foment disturbance, and to perpetuate party spirit; but there was another and a much more secret cause of the hostility of the Catholic body to Orange associations. It was observable to all those who were well acquainted with the history of Ireland, and who watched the course of public events in that country, that the loudest clamour was raised against the Orangmen, precisely at that period when the Catholics had committed some great and notorious breach against the law. It was an artifice on their parts to turn the public attention from their own misdeeds, upon their political adversaries. It had never been so successful as on the present occasion. But he would state to the House the three periods when the loudest clamour was raised against Orangemen, both in parliament and out of doors, and leave gentlemen to judge whether those three periods did not tally exactly with the most notorious instances of boldness on the part of the Catholics. The first period, when the loudest clamour was raised against the Orangemen, both in parliament and out of doors, was in 1798—the period of the rebellion. No man who read the history of that rebellion could deny, that though it commenced by an union of the Presbyterians and Roman Catholics, yet, finally it was carried on solely by the latter, and that it assumed the complexion of a religious war. It was not surprising, therefore, that the Orangemen should become obnoxious to the rebellious Catholics; and that their orators, committees, and public press, should spare no effort to malign their motives and misrepresent their actions. The next period, when Orange associations became a subject of discussion, was in the years 1813 and 1814. The present president of the board of control brought the subject before the House in a former year; but it seemed to be the unanimous feeling to leave the question of their illegality, and the punishment of their misdeeds, to courts of law. In the year 1814, the member for the Queen's County (sir H. Parnell), presented ten or twelve petitions against them, coming, as he said, from persons of all religious persuasions; but which petitions, on examination, appeared to have the names appended to them, to the number of hundreds in succession, all in the same hand-writing. These petitions were followed by a distinct motion on the subject, by the right hon. baronet, the member for Waterford (sir J. Newport). But, he would now ask, what was the conduct of the Catholics in the year 1813 and 1814? In the latter year, the government thought it right to suppress a board, which had existed in Dublin for some time, and known by the name of the Catholic board. That board had assumed to itself all the privileges of parliament. It had its president, its secretaries, its committees; it levied money upon the Catholics, and passed resolutions, declaring that these orders were more binding upon the Catholics, than the acts of the legislature. It was gradually assuming to itself the most extensive power, and unless suppressed, would have involved the country in another civil war. The government determined most wisely to suppress it; and its suppression was hailed with joy by every well affected man. But, what was the consequence?—an immediate cry against the Orangemen; the petitions presented by the hon. baronet, got up by the board, signed by their own clerks, and detailing grievances which were never heard of before. The object was manifest; it was to turn the attention of the public from the dangers of a self-constituted, daring, and illegal parliament, to the petty disputes of insignificant Orange societies. But the third period was the most striking, and the most important. Since the beginning of the present session, the subject of Ireland had never been mentioned, without direct attacks against the Orangemen. The public press, particularly of Ireland, teemed with misrepresentations; and events had occurred in Ireland to increase the animosity. At last, the hon. and learned gentleman brought forward a direct charge, with more moderation than he expected, but directed entirely against the Orange societies; but, in this tender regard for conciliation, this sacred horror against all secret combination, he forgot to mention the discovery of one of the most nefarious conspiracies on the part of the Catholics, that had ever occurred. From the silence observed on the occasion, very few members could be aware that, in November last, the attorney-general of Ireland prosecuted and convicted eight men for administering the oath of the Ribbon society. The House would be surprised at the gravity of the charges against these men, and notwithstanding their conviction, that the hon. and learned gentleman had selected the Orange society, as the fittest example for his reprobation of all secret combinations. But, what was the object of this Ribbon association? It was proved on oath, that the sworn object was to separate Ireland from England, to extirpate the Protestant religion, or, to use the words of the witnesses, "to cut off heresy, and to regain the right lost at the Reformation." It was proved on oath, that money was collected at the nightly meetings for the purchase of arms; that the committee distributed its orders and papers throughout the whole country; that branches of it were established in all the provinces; and, as a proof of their refinement, it was proved, that although the oath of allegiance was found among the articles of their confederation, yet it was meant only as a screen, it was never proposed to be taken, and was inserted in their records only to keep the person harmless, on whom any of the papers might be found. If this was not enough to alarm the minds of the Protestants, they must have less sensibility, or less intelligence, than fell to the common share of mankind. It did, however, alarm them; and the loudest remonstrances would have been heard, if the attention of the world had not been directed to the late events. It had, however, its usual effect of uniting the Catholics in a cry against the Orangemen, and endeavouring, through the riot at the theatre, of turning the public observation from their own misdeeds. The inference to be drawn from the events of these three periods was incontestible. He had searched parliamentary public records, and he could find no other instance than those three, in which the Orange associations had become the subject of discussion in parliament and clamour, out of doors; and it was a curious circumstance, that the cry was loudest, and the endeavour to misrepresent the greatest, precisely at the times when it was the interest of the Catholic body to turn the public attention from their own designs. But they had not only attempted to deceive the public mind, by their loud and unfounded clamours; they had also used this artifice to work upon the terrors of the ignorant and the bigoted, wherever mischief was intended. When the United Irishmen, the Defenders, and Whiteboys, wished to rouse the people into insurrection, and found them unwilling to become their tools, they raised a cry, that the Orangemen were coming, and unless a rising took place, that they would all be massacred. This never failed to operate on the timid and ignorant part of the Catholic population. There were many instances of this artifice; but one was so remarkable, that it might tend to show the House what artifices were made use of to misrepresent the Orangemen. Among the papers presented to the secret committee of the Irish House of Commons, appointed in 1798, to inquire into the causes of the rebellion, were found the fabricated rules and regulations of Orangemen. These were forged by the Catholic committee, and spread throughout the country among the lowest and most ignorant of the multitude, as the genuine rules of the Orange association; and there were many persons now, who thought them the real regulations; they were to be found in the report of the committee, and were as follows: — 1. "That each and every member shall be furnished with a case of horse pistols, and a sword; also, that every member shall have twelve rounds of ball cartridges. 2. That every man shall be ready, at a moment's warning. 3. That no member is to introduce a Papist or a Presbyterian, Quaker or Methodist, or any but a Protestant. 4. That no man shall wear Irish manufacture, or give employment to any Papist. 5. That every man shall be ready at a moment's warning, to burn all the chapels and meeting-houses in the county and city of Dublin. 6. That every man who will give information of any house he suspects to be an United Irishman's, shall receive the sum of 5*l.* and his name kept private. 7. That no member shall introduce any man under the age of nineteen, or over the age of forty-six."—That was one of the many acts used to make the Orange association the occasion of exciting hatred and vengeance among the lower orders of the Catholics: it was an artifice used by the mischievous and designing, to rouse into action the sluggish physical force of the multitude. The object was to produce an impulse, no matter what was the effect. He remembered a similar instance in the interesting memoirs of the queen of France, lately published by madame Campan, where an appeal to the fears was found more effectual than an appeal to the reason of the people. She said, that after the 14th of July, by a ruse, the credit of which was entirely due to the national assembly, the whole youth of France was, as it were, in an instant, formed into national guards, and it was effected by the following project: —A report was spread on the same day, and almost on the same hour, through every part of France, that 4,000 brigands were marching upon the towns and villages, which were slow in arming themselves: the effect was instantaneous—all the male population armed themselves, and the effect of terror on the female part was so great, that a peasant showed madame Campan a rough and rugged rock, up which his wife had climbed without the least difficulty, on the night when she expected the attack of the 4,000 brigands, and from which he was obliged to extricate her the next day, by means of ladders. This was precisely the same kind of artifice used by their brethren in revolution, the United Irishmen, in order to rouse the timid and the ignorant part of the population. The trick, however, was not so new as it appeared to madame Campan, although it assumed a more chivalrous form in the history of France, than in the bloody and bigoted annals of the Irish records. He found in Harris's Life of King William, a similar kind of plot. In 1685, the Irish, fearing the ascendancy which the English and Scotch were gaining, had recourse to the following expedient to alarm the mind of king James; and in reading this extract, he begged the House to recollect, that these English and Scotch were the ancestors of those very Orangemen, who had been the victims of the same misrepresentation, from that day to this:—

"The Irish pretended that the Protestants assembled in great numbers in the night-time; and, to gain more credit, the vulgar Irish were instructed to forsake their houses, and to hide every night in the bogs, pretending a fear that the English would, in that dead season, cut their throats: a practice as notorious among them, as unheard of among Protestants; and for which there neither was, nor could be the least foundation; for their infinitely superior numbers to the English, showed how ridiculous the invention was; and they were convinced, both by the practice of the Protestants, and principles of their religion, that they were not men of blood.—However, with what malice and injustice soever the English were represented as night walkers, with a design of murdering the Irish, yet examination of these charges were taken by justices of the peace, calculated for the purpose, and transmitted to the lords justices in council, upon which, by the king's directions, a proclamation issued, forbidding all night meetings; though the lords justices knew well there was no such practice. But this artifice was formed to make way for greater mischiefs, by preparing evidences to swear the most considerable of the English into the plots."

This extract, with very little transposition, was no inapt description of the present state of Ireland. The Catholics were incessant in their endeavours to affix upon the Orangemen the most base and wicked designs. Their newspapers seized with avidity upon a riot at a fair, to make it an Orange outrage; in their speeches and addresses they magnified the base and outrageous conduct of a few individuals at the theatre (for the transaction deserved those epithets, whatever the verdict of the jury might be), into a preconcerted plan on the part of the whole body of Orangemen, to overturn the government; and they were surprised that the Protestants saw any other symptom in this, than a desire of conciliation. Conciliation never could be effected on such terms; it was proceeding gradually, until the Catholics began to calculate their own strength, and thought it great enough to enable them to outrun the slow progress of time. Within his own recollection, many of the ceremonies which were annually celebrated by the Orangemen were abandoned. The gentry who formerly took a pride in heading the processions of their tenantry, had withdrawn themselves; and he was confident, that, in a few years, their influence over the peasantry, would have induced them to follow their example. But now party spirit burned with a fiercer flame than ever; and he was convinced, that no address, no resolution, no vote of the House would soon extinguish it. Men clung to their prejudices as to their property; what they would give up to reason, to ridicule, or from indifference, they would adhere to when summoned by a threat; and the motion of the hon. and learned gentleman, as well as the incessant endeavours to asperse one party in the country, would have no other effect than removing still farther the hope of conciliation, and exasperating still more the subject of the present collisions.

Mr. *Maurice Fitzgerald*, knight of Kerry, said, that among sentiments that might be controverted, and statements that might be disputed, his hon. friend, who last spoke, had mingled many expressions calculated to augment the spirit, the existence of which the House and the country so deeply regretted. Upon authority that could not be questioned, he was provided with the means of exhibiting a picture, the very reverse of that which his hon. friend had presented. No man could approach the question with more pain than himself, because he was called upon to accuse and criminate a large body of his countrymen, some of them his nearest and his oldest friends. But, while he recognized private worth, its very existence showed the baneful influence of the worst principles upon the best hearts, and the clearest understandings. He denied that the Orange societies arose out of any disaffected spirit or practices, on the part of the Roman Catholics: he denied it on the authority of the legislature itself, of the king's speeches to the Irish parliament, and of the reports of secret committees, of which he had been a member. He denied it on his own distinct recollection of the evidence given in 1798, by the directors of the United Irishmen. That evidence stated, that, down to Christmas, 1796, when the French invaded the south of Ireland, not a single Catholic had been admitted to that association. In that formidable conspiracy, to which any other in any country, was mere child's play, a society of 500,000 men, bound, by secret oaths, to overturn the government, and to establish, by means of a bloody revolution, a republic on the ruins of the constitution—they had evidence on oath, that for years there was not a single Catholic, with the exception indeed of one of the directors, Dr. Macnevin, who professed himself a Catholic, though he believed him to be a man of no religion at all. That very intelligent man had told the committee why they did not admit the Catholics into their society : they thought they could not trust a single Catholic, lest the secrets of their association might be conveyed, through their priests, to the government. The Catholics were thus excluded, advisedly and for reasons, from the treasonable associations in Ireland, at the time, and long subsequently to the formation of those Orange societies, which were said to have been called forth by Catholic disaffection. Upon the remarks of his hon. friend, on the petitions presented respecting the Orange associations, he should not waste a single word. His hon. friend had asked, why had not the hon. and learned mover directed his observations against other secret societies, as well as against the Orangemen ? His hon. friend had himself stated the reason—they were already under prosecution. Law after law had been enacted, at the instance of successive secretaries for Ireland, to reach them in their most secret recesses. His right hon. and learned friend (Mr. Plunkett), was now proceeding, with all due dispatch, to convict, transport, and hang them. But the Orange societies were made the subject of the present motion, because they were too strong, if not for parliament, for the existing law, and government of Ireland. The motion was directed against the Orange associations, not that their objects were treasonable, but that, perhaps with loyal intentions, they called forth counter associations, inflamed terrors, excited passions, and kept Ireland in continual agitation and alarm. He trusted that the universal British sentiment would be expressed decidedly against them. The right hon. gentleman had treated the terms "Orangeman" and "Protestant," as synonymous or convertible. But, he protested against their being so mixed up. He believed that Ireland was almost entirely a land of party ; but he trusted not quite so. He hoped there was some portion of neutral territory in the country—that there were some Protestant gentlemen of reason and moderation, and who were entitled to look to England for sympathy and support. But, if the very name of a moderate Protestant was to carry with it a sentence of condemnation —if it was to be told in that House, that not to be an Orangeman was to be a rebel —for those were almost the words made use of by his hon. friend—

Mr. *Dawson* denied having uttered any thing which could bear that construction.

Mr. *M. Fitzgerald* alluded to that part of his hon. friend's speech, in which he had described the manner of putting down the rebellion in Ireland. His hon. friend had spoken of the rebellion as having been put down by the Orangemen, who were then the only loyal subjects. How did his hon. friend propose to sustain that assertion? The rebellion had been put down, not by the Orangemen singly, but by a combination of all parties. In addition to the regular troops, there had been employed in putting down the rebellion, a yeomanry, composed indiscriminately of Catholics and Protestants, and a militia, twenty-six or twenty-seven thousand strong, three-fourths of whom were Catholics. He had been surrounded by Catholics during that rebellion, who displayed as much ardor, and as much loyalty, as could be found in any class of his majesty's subjects. Why, the fact was proved by the royal thanks given equally to both classes for their zeal and exertion. He did not state these things to controvert his hon. friend's assertion, for the assertion controverted itself; but he stated them because he wished to impress upon the House the extent to which party spirit could actuate even the most generous and enlightened minds. What, then, could be expected from the humbler and unenlightened orders, forced by their condition into constant contact with the lower classes of the Catholics, and having those same Catholics pointed out to them, from hour to hour, as rebellious subjects, or objects of detestation? The effect of all this might be seen in a contrast—a lamentable contrast—between the state of society in England and in Ireland. Whatever might be the violence of political differences in England, there needed but some great national object at once to secure unanimity. On that feeling the crown and the government of England could always depend with safety. But in Ireland every thing resolved itself into faction. Government there could rely on no support, but that which it obtained by arming one faction against another. The country contained the raw material of a good public mind; but that public mind could only be formed and developed by an honest, an impartial administration of policy and laws—by showing to all parties, Catholics and Protestants, that it was not to their theoretical principles, or to their religious tenets, but to their conduct as just and loyal men, that the government would look, in estimating the confidence to be reposed in them. The case was no slight one—the crisis was not one to be trifled with. If government would not take Ireland out of the hands of faction, the result would be, sooner or later, that her connexion with England would be severed for ever. Party feeling at the present moment was upon the increase rather than upon the wane. As long as there was a notion—a hope—that party, religious or political, would be countenanced, or even endured by government, so long the country would be in distraction and in danger. Without saying one word in the way of opinion, as to the conduct of the present Irish government, the very charge set up by the Orangemen against it was, that it had acted impartially, and without favour to any sect whatever. It was the curse of Ireland to be troubled with usurpers of power. All her societies, down to her very beef-steak clubs, were political, ambitious, and intriguing. The visit of the king had been the only event producing any thing like a calm; and heartily did he wish to see the feeling expressed by his majesty carried into active operation once more, without preference to the one side or the other. He implored the House to curb the ebullition of party spirit on every side. Let it be recollected, that at the close of the rebellion, lord Cornwallis had been sent over to Ireland, to confront a party which had possessed itself of power, and which was using that power for its own factious purposes —that same party which now was complaining of the Irish government, and denouncing the loyalty of every creature beyond itself. Lord Cornwallis had curbed that party, and, in curbing it, had entitled himself to the thanks of every friend of Ireland; but he could not have done it, standing in any other situation but as the organ of a firm, a steady, and united government; and he (Mr. M. F.) had little hope that the thing could be done now, while England had disunion in her councils at home. Such were his reasons for supporting the motion of his hon. and learned friend; at the same time, he was willing to concur in the motion being withdrawn, upon a pledge that its all-important object should have the immediate attention of government.

Mr. Secretary *Peel* said, the House would be sensible of the anxiety he felt on addressing them upon the present occasion. It was most desirable, that a question involving so many important considerations should be treated with candour, fairness, openness, and impartiality, and, in whatever other places faction might exist, that it should not be found in that House. Although he was quite prepared to oppose the motion, yet he should be sorry to succeed in his opposition, without an opportunity of explaining the motives of his conduct, and of guarding himself against misconstruction. His object in the address he was about to make, would be to promote peace. He wanted no triumph for any party, but to prevent either from triumphing over the other. If, however, by succeeding in his opposition, he should be thought the advocate of faction, he would deprecate success as a serious evil. In delivering his present sentiments, there was a necessity for him to refer to his former opinions. In 1814, when the right hon. member for Waterford moved for copies of all the correspondence which had passed between Orange societies and himself, as secretary of Ireland, together with his answers, he (Mr. P.) seconded that motion, and the return was, that there was no such correspondence. During the whole of his official duties in Ireland, he had never once recognized any Orange society. In 1814 he had received an address from the very respectable grand jury of Fermanagh, thanking him for the protection he had afforded to certain Orangemen. In his answer, he stated that, having seen a petition presented to parliament against Orange societies and Orangemen, containing many exaggerations, and some charges which he knew to be unfounded, he had not thought it inconsistent with his duty to defend the individuals thus falsely accused. In defending those persons, he had borne willing testimony to their past services, and to their general loyalty, and he confidently hoped, that they would give the best farther proof of their good feeling, by avoiding every act of an irritating tendency. He concluded by declaring, that he had never approved of any political confederation whatever. The right hon. gentleman then read three other documents. The first of these was a letter from himself, dated Feb. 1822, in answer to a communication which he had received, touching the institution of Orange lodges in England; the communication being accompanied by the opinions of eminent counsel, affirming the legality of societies so instituted. The purport of the letter was, that he did not approve of the institution of Orange societies in England, or think that any good was likely to result from their proceedings. The second document was a letter, dated July 3, 1813, addressed, as a circular, to the brigade majors of yeomanry corps in Ireland. It stated, that the lord lieutenant being desirous to prevent animosity and rancour between the different parties of the country, desired that the yeomen might not be allowed to assemble on the 12th of July, unless for the purpose of military exercise. The third letter, dated in 1814, referred to the letter of the 3rd of July, 1813, enforced the observance of its contents, and added a strong recommendation, that the playing of party tunes should be avoided. These letters sufficiently showed what his sentiments with regard to party associations had been. He had every disposition to effect the object of the present motion; but, under the laws as they stood, he saw no means of doing it. As far as the yeomanry of Ireland, who were said to be chiefly Orangemen, were concerned, government saw its way; but, as regarded the mass of the Irish population, how did the hon. and learned gentleman propose to get his measure carried into effect? For instance, the procession on the day of the battle of the Boyne, with the flags and the party music—a proceeding which was one of great irritation to the Catholics—how was that procession to be got rid of? Did the hon. mover mean to introduce a law which should at once suppress all processions, or all associations for political purposes? Could such a law, consistently with the freedom of the country, be proposed? He was most sincere in his wish that the objectionable courses should be checked; but he did not see how any good would be produced by the direct interference of the legislature. He cautioned the House against engaging in any declaration which would tend uselessly to offend the feelings of a large and high-spirited and loyal portion of the community. He was far from wishing in any way to encourage the hostility of parties. Combinations bound by secret oaths must always be objects of suspicion. He was aware that confederacies for legal purposes, maintained by perfectly legal measures, might, in the course of time, become degenerate. But he did not believe that the objects of these Orange associations were any other than those which had been always professed. He could not confound their principles with a love of injustice, persecution, and disloyalty. As to the condition of the law, that might be a reasonable subject for consideration. A difference existed at present between the law of England and that of Ireland, with respect to secret oaths. In Ireland it was necessary to prove the nature of the oath, and the manner of taking it, in order to conviction. There certainly should be no difference between the laws of the two countries, upon a subject of that solemn nature; and, as far as the assimilating of the law went, a measure of that kind should have his full approbation. He assented entirely to the proposition, that the law should, if possible, be so framed, that secret oaths should cease entirely. In the course of a few days he should be compelled to offer his decided opposition to a motion of his right hon. and learned friend (Mr. Plunkett), for extending what were termed constitutional rights to the Roman Catholics: but, while a sense of duty compelled him to that course, he was free to express his earnest hope, that all party associations, whether legal or not, might cease. He thought he had given proofs that he was ready to go as far as any one—farther than the existing law did go—to arrive at that end. He wished first to be assured as to the means. If he were a gentleman of Ireland, he would use all the influence of his station to induce the Orangemen to desist from any of those practices which were considered so objectionable by their Catholic countrymen. He might appeal to them on grounds of policy; but he would choose higher grounds. On motives of policy he would say to them, "You are a small party, and it cannot be wise to irritate a body of men so greatly superior in point of numbers." But, he would appeal to better feelings: he would say to them, "These processions, toasts, and other manifestations of your opinion, cannot be supposed by any moderate man to be contrary to law; but they are of no use; they give offence to many who have not deserved injury; they wound the feelings of many respectable persons: you ought, therefore, to dispense with them, however harmless they may be in the view of the law." On the other hand, he would advise the Roman Catholics not to be extreme in marking what might be done amiss, nor too prone to construe every act of political exultation into an insult directed against themselves. It was utterly impossible that all those events, the recollection of which was a source of pride and satisfaction to every individual who felt himself politically identified with them, should at once be buried in oblivion. The Catholics themselves must admit, that the commemoration of such events by the Protestants, did not necessarily imply insult to them. Let the Catholics look back to the events of the year 1688, and say whether there did not exist some common causes of exultation? He would take the instance of the celebrated siege of Londonderry; and he would ask any impartial Catholic, whether, as Irishmen, they did not exult in that, as well as in many other signal instances of the courage of their countrymen? It was not to be inferred, that because the Protestant rejoiced, he necessarily intended any insult to the Catholic. For the same reason, therefore, that he advised the Protestant to abstain from causes of irritation, he would advise the Catholic not to misconstrue the commemoration of events by the Protestants into an insult directed against themselves. The right hon. gentleman who spoke last had intimated, that his hon. and learned friend would be ready to withdraw his motion, if he could only have an intimation, that his majesty's government were ready with any measure upon the subject. Upon that head he could give the hon. gentleman no direct assurance. But, in November last, a communication had been made by the lord lieutenant, to show that some measure for putting down secret associations had become necessary. Subsequent events had not lessened that necessity. A proposition arising out of that communication was now before the government. But he would resist the motion on other grounds. It was proposed, that an address should be presented to his majesty, praying that he would direct means to be taken for putting down societies assembled under "exclusive and unconstitutional principles." Was there ever an instance of parliament proceeding to such a vote, without having the matter in evidence before them? Addresses of this kind were of themselves deserving of particular attention in a constitutional point of view. He trusted that he might have credit with the House for holding no latent objections to the motion, which he was reluctant to avow. But let them consider well. Here was an address proposed to the crown. For what? To reform the existing, or to create a new law? If it were to enforce the existing law, a general declaration against political societies was unwise; it might be disregarded; it might be taken as an insult, and it could have no possible effect in alleviating existing irritation. There was no proof that the proceedings in question were illegal; but, admitting them to be illegal, and consequently that it would be possible to prosecute, would it be wise to institute a prosecution, backed by a resolution of the House of Commons? Would it be fair to send the parties to trial with all the prejudice of such a resolution against them? If the object were to introduce a new law, was it not a very unusual course for the House to assure the crown of its readiness to assent to a new law, if it should be proposed? It belonged to that House to originate laws, and not to present addresses, informing the crown that it would be willing to assent to a new law. On these general principles, the motion might be fairly objected to. In one part of the resolution it was stated, that the House would consent to give to the people of Ireland the full benefit of the constitution. It was impossible to say what effect the passing of such a resolution might have on the people of Ireland. What was meant by the full benefit of the constitution? No phrase was more commonly used in the discussion of the Catholic question; and such a resolution might therefore be supposed to pledge that House to a full concession of the Catholic claims. The hon. gentleman might argue, that the full benefit of the constitution could not be enjoyed without such concession; but he (Mr. P.), who did not concur in that opinion, must pause before he gvae his assent to such a resolution. He should strongly advise the House not to agree to any declaration. He did not object to a law, denouncing party associations as illegal and unconstitutional, especially under the present circumstances of Ireland. The hon. gentleman had said, that the Orange associations had the audacity to issue addresses to the people, to deliver opinions on public affairs, and to assume a co-ordinate power with the government itself. Now, he could point out some clubs and associations in which, perhaps, a little more discretion was exercised; but which, with respect to all those charges, would be found quite as fully committed. The Orangemen might cite a very formidable precedent in a society which existed before them, and which, in all respects, except the article of secret oaths [Hear! from the Opposition benches]—and for that article of secret oaths, the law was now about to provide—gave them the example for most of those proceedings of which they were now accused. Declarations against general bodies were seldom useful. He would remind the House of Mr. Fox's remark relative to some affairs which were passing in the north of Ireland, about the year 1795 or 1796, when principles were supposed to exist in that quarter much more alarming than any ascribed to the Orangemen. "I object," said Mr. Fox, "to all general condemnations of the people; but I object particularly to those now made on the inhabitants of the north of Ireland. You may tell me that they are men of the old leaven; I say, too, that they are men of the old leaven; but it is never to be forgotten, that it was the leaven with which, in the reigns of Charles 2nd and James 2nd the constitution was kneaded." Such was the language of Mr. Fox, with regard to the population of the north of Ireland; and, if the principles of the Orangemen of the present day were denounced and stigmatised by that House, such a measure would have the effect of impressing them with the belief, that their former services were forgotten: they might render a sullen obedience to the laws, but party spirit and party animosity would only be exasperated. Nor was the conduct of the Orange societies, in publishing declarations of their political opinions, without precedent. The Orangemen might refer to societies which existed before the Unoin; more especially to the declaration of the Whig Club in Ireland, in 1789. This Whig Club published a declaration, in which they avowed, that they would endeavour, as far as in them lay, to maintain a parliament in the realm, exclusively invested with parliamentary rights. This, therefore, was an association, established for the avowed purpose of resisting a legislative union. On these general grounds, he should oppose the resolution. In objecting to it, he trusted that he could not be fairly charged with endeavouring to procure a triumph for any party. One word more. A determination had been made by the government of Ireland, to prevent the dressing of the statue of king William. As soon as such intention was made known to the government here, he had lost no time in assuring his excellency of the entire concurrence of ministers therein. If the motion were not withdrawn, he trusted that the House would give it a most decided negative.

Mr. *Grattan* was of opinion, that government ought to proceed vigorously in putting down these factious societies. Such of the members as were placemen, ought to be turned out of their offices; for that was the only effectual mode of staying their violent proceedings.

Mr. Secretary *Canning* said, it was not his intention to detain the House long; nor indeed should he have risen at all, had it not been for the direct personal appeal which had been made to him. It was the less necessary for him to answer the hon. and learned gentleman, since every principle which he could wish to advocate—every measure of which he could desire the adoption—had been supported by the united sentiments of the House. A right hon. gentleman who spoke early in the debate, had said, that his hopes of a favourable result would have been much greater, if the present lord lieutenant had, like lord Cornwallis, been connected with a government, not divided upon a particular measure, in which the welfare of Ireland was concerned. Whatever his wishes might be on this subject, he felt persuaded, from past experience, that it was scarcely possible to find a cabinet united on the great question of the Catholic claims, however entire their concurrence might be in other leading political questions. He abated none of the sanguineness of hope with which he had always addressed himself to that question. These sentiments he did not now state for the first time. They were the same that he had entertained and avowed at all periods, and when he could not be supposed to have any interest in taking such a part. But, while he admitted, that unanimity of opinion did not exist with respect to that single question, among the members of the government, he could assure the House, that no government could be more disposed to administer the affairs of Ireland with an equal hand, or more united in the determination to support that government in Ireland, under whose influence the principle had been already advanced. He congratulated the House on the favourable close of a discussion, which, in the outset, appeared so perilous, and so likely to give rise to heats and animosities; but which, from the temper with which it had been carried on, was now likely to have so different a result. His right hon. friend had told the hon. and learned gentleman, that he could not give him the alteration of the law, as a compensation for withdrawing his motion; but he (Mr. C.) would endeavour to find him a compensation by prevailing on an hon. friend of his (Mr. Ellis) to withdraw his motion, for certain papers relating to a military outrage at Dublin, on the 26th of November last; and thus, what had promised to be a night of conflict, would terminate in harmony and conciliation.

Mr. *Abercromby*, in reply, observed, that if the right hon. gentleman expected such a discussion as he had described, it was in the power of ministers to have prevented it, by communicating what they had now stated before the discussion came on. Every object that he had in view would be effectually attained by the course which government had stated it to be their intention to adopt. His object was to have an effectual law in Ireland, as well as in this country, to extinguish societies bound together by a secret oath, and the secretary of state did great injustice to his views and feelings if he thought him capable of continuing a contest with him, after having obtained the measure for which he was anxious. He had felt himself justified, however, in making the motion, under the circumstances, and especially as he was persuaded, that the discussion would afford great satisfaction to a numerous part of the population of Ireland. He trusted that, after the explanation which had been given, the House would not object to his withdrawing his motion.

The motion was accordingly withdrawn.

HOUSE OF COMMONS.

Thursday, March 6.

Message respecting the King's Property.]—Mr. Secretary Peel presented the following message from the King:—

"George *R.*

"His majesty being informed that doubts have arisen touching the powers vested in his majesty to dispose of any real, copyhold, or leasehold property to which his majesty was entitled before and at the time of his accession to the crown, and also concerning the powers of his majesty's successors to dispose of the real, copyhold, or leasehold property to which they at the time of their accession to the crown may be entitled, his majesty recommends to his faithful Commons to take this subject into their consideration, and to make such provision respecting the same as may appear to them to be proper. G. *R.*"

Petition from Col. Allen, complaining of the Loss of his Commission.]—Colonel *Davies* rose to present a petition, which, he said, disclosed a case of great individual hardship. The petitioner was col. Allen, who, having served many years in the army, had attained the rank of lieutenant-colonel. In 1817, he was with his regiment, the 55th, in the island of Jersey, where he had some disagreement with general Bailey, who commanded the garrison there. General Bailey had accused him of making false returns, and that he should be suspended from the command of his regiment. It was impossible for col. Allen to submit to this imputation: he invited an investigation into his conduct; and this application having been disregarded by general Bailey, he wrote to head-quarters, preferring the same request. He heard nothing in reply for three months, when an order came down, not for the inquiry which he had sought, but for a court-martial, by which he was tried on three distinct charges: for making false returns; for trying men at drum-head courts-martial; and for having more men in the barracks than they ought to have contained. On the first charge, the sentence was tantamount to an acquittal; for, although the returns were technically incorrect, they had been pronounced not to be willfully false. On the second, he had been found guilty: but with the exception of the evidence not being reduced to writing, a court-martial at the drum-head was as satisfactory as a trial by any other method. The sentence was, that col. Allen should be placed 12 months lower on the list, and be reprimanded. The prince regent had been pleased to confirm this sentence, and had moreover ordered, as it appeared inconsistent with the well-being of the service that col. Allen should continue in command of the 55th regiment, that he should be allowed either to retire on half-pay, or to sell out. Now, this proceeding, by which the severity of a court-martial sentence had been increased, was altogether illegal. Whoever had advised that act, had done what was illegal. Owing to the alternative of retiring on half-pay which had been presented to col. Allen, he had not obtained the difference to which he would otherwise have been entitled. This had, therefore, the effect of imposing a pecuniary fine; and the crown had no power to do so. Col. Allen had, therefore, no alternative but to pray the interference of the House; and he trusted they would not, because he was a military man, deny him that justice which they would grant to the meanest subject in the realm. He complained not so much of the crown, as of the ministers of the crown; by whose illegal advice that injury had been done for which he now sought redress.

Lord *Palmerston* said, that on general principles, any interference with that branch of the prerogative which related to the appointment and removal of the officers of the army, was totally inexpedient. Of all the privileges of the crown, none was more ancient, and none had been of more uninterrupted exercise, than that of dismissing officers, whether they had been tried or not, or whether any reason was or was not assigned for their dismissal. It was a power held, not for the benefit of the crown, but for the maintenance of the rights and liberties of the people. He would argue, that, upon general principles, this was not a case which called for the interference of the House. He might go farther, and state, that there were circumstances connected with it which afforded much stronger ground for refusing any parliamentary interposition. Col. Allen had been tried on three distinct charges, on all of which he was found guilty. On two of those charges, the verdict was accompanied by a particular qualification. On the third charge, he was found guilty, without any qualification. The noble lord adverted specifically to these charges, and to the frequency, and severity of punishments in the regiment which col. Allen commanded. In no very long interval, 79 soldiers had been flogged, and 4,817 lashes had been inflicted. General Bailey had issued an order, that no inflictions of punishment should be carried into execution, until a previous report had been made to him. Yet, on a visit made by the general to the hospital, he found two men suffering under the effects of punishment. That discovery led to a further investigation, the result of which was, that in disobedience of general Bailey's order, 15 soldiers had suffered under the sentence of regimental courts-martial, and 1,750 lashes had been inflicted between January and April. Let those who considered col. Allen ill-treated, take which alternative they pleased. Either he understood the order of general Bailey, or he did not. If he understood the order, he was guilty of disobedience. If he did not understand the order, he was not fit to command a regiment. Seven soldiers had also been tried by what was termed a drum-head court-martial. The very term indicated the absence of all those formalities, and that due deliberation which should ever characterize judicial investigations. There might arise circumstances where the evil required such a violent corrective, either under the exigencies of actual service in the field, or in the ebullitions of a mutiny and outrage; but no such palliations existed in the present instance. The drum-head trials of col. Allen took place in a period of profound peace, within 30 yards of the regimental orderly room; and that there was no reason for such precipitancy was evident, from the fact, that though the trials took place on the 24th, the punishments were not carried into effect until the 28th. The offence of the first private tried in this summary way was for having two blank cartridges in the pocket of his jacket, and not in his cartouch box. His punishment was 25 lashes. The offence of the second private, was for disobedience of the regimental regulations of the 3rd of March. No specification was given to the soldier. When or where he had committed the offence was not detailed. The House would naturally wish to learn what the order of the 3rd of March was, against which the soldier offended. It was this, that in the ranks, no soldier, without orders, should go from the carry to the support. In other words, that he should not support the firelock with the angle of the arm, but with the palm of the hand. For such an offence 25 lashes were inflicted. The offence of the third person was drunkenness on parade. Now, if there was one crime more than another, in the trial of which the summary proceeding at the drum-head ought to have been avoided, it was that of intoxication—when the faculties of the offender were stupified by liquor, and his reason in a state of abeyance. The punishment inflicted was 100 lashes. The offence of another person was, levelling his piece. One would suppose, from the wording of this charge, that a mutiny had taken place in the regiment, and that this man had levelled his musket, charged to the muzzle, at his commanding officer. But the fact was, that the unsoldierlike conduct complained of was, "for levelling his piece in the air, when the regiment was practising with blank ammunition." It appeared, that the offender, instead of levelling with mathematical precision, had presented his piece in an angular direction towards the horizon. Now, when an individual, who had exerted his authority for the punishment of such trifles, came forward and complained of severity, could the House be expected to interfere? "Quis tulerit Gracchos de seditione quærentes?" He would contend, that an officer who could supersede, without reason or necessity, the ordinary rules of the service, was unfit to remain in his situation. For these reasons col. Allen was dismissed; but he was allowed to sell his commission; although every step he had taken in the service, from his ensigncy upwards, emanated from the pure grace and favour of the crown.

Sir *R. Wilson* said, that corporal punishment was wholly unnecessary in the army. It was liable to great abuse, and ought to be put an end to. He was sorry that the commander-in-chief did not avail himself of the opportunity which this court-martial afforded him, of stating his disapproval of the infliction of corporal punishment.

Mr. *Bennet* said, that when it was proved, that corporal punishment had been unnecessarily and improperly resorted to, the commander-in-chief was, he conceived, bound to express his disapprobation of the system.

Mr. *Hume* observed, that when he had made a statement on the subject of corporal punishment, last session, he was told, that no such thing ever took place in the army. The truth, however, had now come out; and it appeared that corporal punishment was inflicted to a great extent.

Colonel *Davies* said, he had no acquaintance whatever with colonel Allen. He stood there to vindicate a principle, without any reference to the individual. When the Mutiny bill should be considered, it was his intention to move an instruction to the committee on this subject. Colonel Allen had expended 2,000*l.* in raising 200 men. It was, therefore, not correct to say that he got his promotion for nothing.

Mr. *Wynn* contended, that, if ever there was a case in which the prerogative of the crown had been exerted with propriety, and tempered with leniency, it was the case of colonel Allen.

Sir *Joseph Yorke* said, that the noble lord had made very light of the charges which had been preferred against certain individuals in col. Allen's regiment. One of these was an accusation against a soldier for not levelling his piece properly. Assuredly, it was of some importance, that soldiers should know how to use their arms effectively. It was not an easy matter to teach them to do so. He recollected, when a sergeant of marines was drilling a number of men, so badly did they point their pieces, that he declared he would stand their fire for a halfpenny a shot, and was confident he should make a fortune by it. Many of those raw soldiers appeared more anxious to direct their muskets against Jupiter or Saturn than against the enemy. Was drunkenness a light crime? Was it fitting that a soldier who thus misconducted himself, should not be punished? When no impression could be made on a man's reason, it was necessary sometimes to make an impression on his back. Gentlemen seemed to be extremely hostile to the system of corporal punishment. If it were abolished in the army, he supposed it would also be abolished in the navy. He was not, however, prepared to say, that corporal punishment should be discontinued in the navy; and he hoped, if its entire abolition were attempted, that it would be resisted. Much blame had been imputed to colonel Allen; but why should he alone be selected for censure? Was there no other officer in the regiment who concurred in his proceedings?

Ordered to lie on the table.

IRISH TITHES COMPOSITION AND COMMUTATION BILLS.]—Mr. *Goulburn* said, it was within the recollection of the House, that, during the last session, he had been repeatedly pressed by several hon. members from both sides of the House, to express what were the opinions and intentions of the Irish government, upon the subject of a commutation of tithes; and that he had uniformly replied, that early in the present session, he should be prepared, either to introduce a measure for the consideration of parliament, or to state the reasons why the government of Ireland were unable to recommend any particular proposition to the House. It was to fulfil the pledge which he had so made, that he now offered himself to their attention. In entering upon the subject, he was far from being insensible to the difficulty of the task which he had undertaken. It was, indeed, impossible to contemplate the variety of interests involved in the question of tithes, their identification with the institutions of the country, and the various opinions afloat thereupon, without being prepared, on introducing a plan in the way of remedy, to expect a variety of conflicting opinions, and to relinquish all hopes of securing general approbation. But, notwithstanding this impossibility to attain unanimity, he thought it right to propose for discussion the best plan which, after mature consideration, he was prepared to submit to the House—a plan which he knew, at the same time, must excite apprehensions in some, and distrust in others. Nevertheless, the time had, he thought, arrived, when some specific measure became expedient. It was his intention, on the present occasion, to confine himself to a simple statement of the outline of his bill, to have it printed and circulated throughout Ireland, and to postpone the discussion upon the details until a future period. Under these feelings, he should now state the objects he had in view. It was his intention to request leave to bring in two bills—one for a temporary composition of tithes in Ireland; the other for a permanent commutation. His first bill related to the limited composition, and proceeded upon the principle of endeavouring to effect a voluntary agreement between the owners and the payers of tithes; and the mode by which it was proposed to effect that voluntary agreement, was, by an arrangement, rendered complicated indeed in its process by the peculiar situation of Ireland, the minute extent of the claim of tithes upon all classes, and the difficulty of working any local machinery in that country, owing to the different tempers and habits so often found in the middle and lower classes there, compared with those of the corresponding ranks in England, whose executive assistance was resorted to with so much effect and advantage in local measures. The proposed arrangement was this—that the lord lieutenant should have the power, upon the requisition of the incumbent of any benifice or parish, or upon the desire of a certain number of the payers of tithes within the parish, to direct the assembling of a given number of the inhabitants to act in the nature of a special vestry, to regulate the preliminary nature of the arrangement between the parties. It was obvious, that much of the value of the arrangement would depend upon the character and conduct of the parties acting as a special vestry. It was therefore intended to propose a qualification, which was to constitute the eligibility of the parishioner to sit upon the inquiry. Those who paid a certain amount of tithes were alone to be competent for the purpose; to the exclusion of the great mass of the small payers, whose presence, instead of assisting the arrangement, would render the place a scene of tumult and contention. He trusted that the persons called to act in behalf of the parishes would be prudent, impartial, and sensible men. Such persons would, as it were, be a representative body on the part of the parish; and, from the circumstance of their paying a higher amount of tithe than the bulk of their fellow parishioners, they must naturally be deemed by the latter as sufficiently interested in promoting the views of the whole. To a special vestry so constituted, it was intended to intrust the power of selecting some persons of property, whose qualifications were to be described in the bill, who were to open a negociation for the composition of the tithes of their parish for a time to be limited. One commissioner was to be appointed on the part of the parish, and the incumbent was to have the power of nominating another commissioner. To avoid, however, the possibility of the incumbent's appointing an incompetent person, it was to be in the power of the vestry to object, upon showing sufficient cause. The two commissioners, when appointed, were to have the power of nominating an umpire, should they disagree upon terms; and, in the event of the umpire not deciding, it was to be in the power of the lord lieutenant to nominate an umpire for the purpose. He had omitted to state in his preliminary observations, when he spoke of the assembling of the select vestry, that three cases might be expected to arise—either the clergyman or the parish might be unwilling to change their existing situation; and in such an event, the bill was to have no operation: or one might be willing and the other not. Supposing the machinery of the bill to work smoothly, and the parties to act in concert, then the question would arise upon the manner of affixing a scale of pecuniary composition; and for this he proposed that the average price of corn, for the three preceding years, should be taken as a standard, and that triennially the compact should be renewed. He was aware, that certain compositions of a similar nature had been made upon an average of fourteen years' produce; but over such an extent of time there was the difficulty of making the composition on a scale too high for the clergyman, and therefore unreasonable for the parishioners, or, *vice versâ*. He thought the triennial adjustment better and fairer for all parties.—With respect to the manner of levying the composition upon the parishioners, it was intended to appoint special assessors, who were to affix and levy the several assessments upon the holdings of individuals within their parish in a manner similar to the poor-rates assessments in this country by the local vestries. Land at present tithe-free was of course to retain its present exemption; but there was another species of land—that which paid tithe in agistment—which was not to be so exempt, but to bear its equal proportion of the assessment. The only remaining point to explain respecting the temporary bill was to secure to the incumbent his power of levy in case of non-payment; and for this it was provided, that his subsisting remedy, namely, a priority of claim upon the crop before the landlord, should be still secured to him.—Such was the outline of his temporary measure. His permanent one was this: it was proposed, that in every case where the mutual assent of the clergyman and the parishioners should be obtained, a permanent contract should be entered into, for the purpose of securing to the incumbent a certain proportion of land in fee, in lieu of tithes. The parties were to have the power of applying to the commissioners for the reduction of the national debt for money to purchase such land in fee, and they were to be repaid for the interest and principal of the money so sunk by the due amount of the composition affixed for the tithes of the parish. This mode of raising the money would ultimately prove advantageous to the public; for the terms upon which, according to the number of years purchase land could be obtained in Ireland, were so favourable, that the eventual income received by the commissioners would increase in a greater comparative value, and afford them an augmented facility of purchasing up the debt. He trusted that this would be found to be a measure, not having regard to any local or mere individual interests, but directed to the attainment of ends highly essential to the common good.—The right hon. gentleman then moved, "That leave be given to bring in a Bill for establishing a Composition for Tithes, for a time to be limited."

Mr. ***M. Fitzgerald*** gave great credit to government, for the efforts they were making to diminish the evils under which Ireland laboured. With regard to the measures now proposed, he did not distinctly understand how that which was to be permanent would work, nor how that which was to be temporary was to be limited in time. He could not see the advantage in the latter of the references every three years; nor did he think that part of the bill which required the assembly of special vestries applicable in many parts of Ireland. In many parishes of Ireland there was not even a substantial farmer, much less a resident gentleman; and, in many instances, not a single individual belonging to the established church. He was apprehensive that the new estimates which were to be made, would be attended with great uncertainty, especially as much scope must necessarily be given to the operation of conflicting interests. He was sure that the proposition which he (Mr. M. Fitzgerald) was going to recommend would materially contribute to the security and comfort of the established church. While he perfectly agreed with the right honourable gentleman in the principle of the arrangement which he proposed, and thought that it was highly desirable to include in it the tithe of agistment, he could not think the vote of the Irish parliament of the year 1735 a robbery of the clergy. Just before that vote, several claims had been set up by the clergy to the tithe of agistment, although he believed no such tithe had actually been levied. The claim, however, had been advanced in the court of Exchequer, and its validity established. What he hoped was, that the necessary support for the clergy would be equally levied on land of all description, except that essentially tithe free. In his opinion, some measure of a permanent nature would be infinitely preferable to any temporary and fluctuating proposition.

Sir *H. Parnell* wished to know, on what principle of valuation the composition was to be made, whether the full tenth, the value in the proctor's books, or the actual value of the tithes received? To the first he should altogether object. He hoped that, in the progress of the bill, the regulations would be made somewhat more compulsory. He wished to secure the total abolition of tithes, and not to allow any parish to continue them. If the select vestries were to be composed only of persons who paid large sums for tithes, now that pasture lands were to be made liable, it would be the interest of the vestries in grazing districts, to preserve the present system of tithes, by which their own lands would be free, and the burden left upon the poor tillage cottiers and farmers. He thought the measure would prove an effectual remedy for the evil of tithes. It would wholly do away with the annual valuation of proctors, and the oppressive collection by proctors and tithe farmers. By combining the principle of an acreable tax and a commutation for land, it had the advantages of both plans. In respect to giving land, he thought that regulation the best part of the measure, and that the commutation of land for tithe might be accomplished without any loss to the public. The thanks of the public were due to the right hon. gentleman, and the noble marquis at the head of the Irish government, for this important measure. It would put an end to a system of great grievance and oppression, and contribute essentially to secure the tranquillity of Ireland.

Sir *J. Newport* was persuaded, that the measures proposed could not fail to do great good. He was of opinion, that the valuation should be made, not on claims and demands, but on receipts. It was extremely satisfactory to him, that the burthen of tithes was to be more equally borne than hitherto. The bill, he must say, promised most fairly. That it was in some degree complicated in its details, was, in a great measure, attributable to the state of society in Ireland. The working of a bill of this description must necessarily be more difficult in Ireland than in this country; in consequence of the unhappy condition of the former. If the difficulties in the way of the arrangements respecting the parish vestries could be got over, a double benefit would accrue; for when once that machinery was established, it might subsequently be made use of for other and highly beneficial purposes.

Mr. *Carew* expressed his satisfaction that the right hon. secretary had moved for leave to bring in the present bill. He held in his hand the resolutions of the grand jury of Wexford, in favour of a just and fair commutation of tithes, such as might secure the stability, dignity, and independence of the established church, and the general interests of the community. In those principles he fully concurred. He would never advocate a system which did not protect the interests of all parties. Provided the clergy performed those duties, for the performance of which, tithes and church property were originally appropriated, he would never consent to invade that property; but when he found a general complaint of the neglect and non-performance of those duties, he did say that such a system required amendment.

Mr. *Spring Rice* could not resist the temptation of congratulating Ireland on the prospect which was opened to her, by the conduct of government. What could present a more striking contrast than the present and the last session of parliament in that respect? The last session commenced with the suspension of the Habeas Corpus in Ireland, which was followed by the Insurrection act. The present session was distinguished by measures of conciliation and wisdom. The right hon. secretary had last night given notice of a measure, the tendency of which would be to unite all classes of the community in Ireland. To-night he had brought forward a measure, which would put an end to nearly all the grievous and oppressive practices of the tithe system. Such benefits to Ireland would not be thrown away, but would produce a rich harvest of gratitude and attachment. The only difficulty which he contemplated in the bill, related to the complexity of the machinery. The Protestant population were, in some parts of Ireland, so reduced by circumstances, that he feared materials would scarcely be found for its construction. If so, some supplementary power must be sought for, to give the measure an effective direction. He much wished, that the equivalent rent charge, instead of being paid by the tenant, should be paid by the landlord; so that the Catholic tenant should never more hear of tithes, and the support of the church to which he belonged should exclusively proceed from the inheritor of the land.

Mr. *Hutchinson* said, that having, year after year, declared in his place, that justice was not done to Ireland, he felt it to be his duty to express his great satisfaction at the complete change of disposition in that respect, which manisfested itself in the conduct of his majesty's present ministers. In thanking them for Ireland, he felt that he was thanking them for the empire; which the course now pursuing would render irresistible. His thanks were due to the whole of his majesty's government. They were due to the chancellor of the exchequer, for the kind and generous manner in which he had spoken of Ireland; they were due to the secretary of state, who had declared his wish to avoid all irritating subjects; and they were due to the other secretary of state, who had declared the determination of ministers to support the present government of Ireland. This last-mentioned declaration was calculated to do infinite good to Ireland. Having for years maintained in that House an angry opposition against government with respect to Irish affairs, he felt it his duty, now that he saw the anxiety which existed to do every thing that was right and proper, to give to government his warm approbation and support.

Colonel *Barry* was also anxious to express his warm approbation of the present measure.

Mr. *V. Fitzgerlad* said, that, according to his view of the measure, it was calculated to redeem all the promises which had been made by government on the subject.

Leave was given to bring in the said bills.

National Debt Reduction Acts.]—On the order of the day for bringing up the report of the committee on the said acts,

Mr. *Calcraft* said, it was his opinion, that the surplus revenue of the country would be more beneficially applied, if appropriated to the relief of the people, by a further remission of taxation, than it would be if appropriated to the purposes to which the chancellor of the exchequer had declared his intention of appropriating it. He was a friend to the principle of a sinking fund; that was to say, to the application of surplus of revenue, to the *bonâ fide* reduction of the debt. He would say, "apply it to such a purpose now," if he did not think that it would be more beneficial to the public creditor, to have it applied to the remission of taxation. That was his view of the question. But it was said, "If you go on in this manner, no one will lend you money again in your emergencies." Now, he held a contrary opinion; for he would venture to say, that there was no person who lent money to the state, who looked so much to the sinking fund as the security out of which his debt was to be paid, as he did to the substantial wealth and opulence of the country. Were the funds now at such a price, that it was necessary to increase them by appropriating a large sum to the sinking fund? He saw nothing in the situation of the public creditor, that called on the House to make the proposed application of this surplus revenue. The proposition which he should now make was, that the House should postpone the further consideration of this report till the 21st of April. This proposition, if acceded to, could produce no effect upon the public creditor; for till that period, at any rate, all the surplus revenue would be appropriated to the sinking fund; and the only difference would be, that instead of the public accounts being made up to the 5th of April next, they must be made up to the 5th of July next. It might be asked, what reason he had for making this proposition? His answer was, to try whether, in the interim, a further reduction of taxation could not be effected. For after the appropriation had once taken place, no man could expect a further remission of taxes.

Colonel *Wood* said, if he did not in his conscience believe that a real sinking fund was most necessary for the interests of the country, he would not vote for the bill.

Mr. *W. Smith* was convinced, that the country at large would be much more benefitted by the further diminution of its burthens, than it would be by the paying off of a comparatively small part of the national debt, for the period during which peace might continue.

Mr. *Benett*, of Wilts, contended, that the repeal of taxes must always benefit the landed interest. By taking off taxes from the tenant, the parliament, in fact, gave so much to the landlord.

Sir *J. Shelley* did not think he should be exorbitant, when he asked the chancellor of the exchequer to repeal two millions more taxes, in addition to the two millions of which he had already given notice. A surplus of three millions for a sinking fund, or to meet possible contingencies, would then be preserved.

Mr. *Hume* said, that the sinking fund had been attended with loss to the country. If it remained on its present footing, at the end of any given number of years, it would not be found to have reduced the national debt one farthing. The minister of the day would always apply the surplus in time of need, to any purpose but that for which it was intended. The chancellor of the exchequer had stated on a former night, that the debt, by means of the sinking fund, had been reduced 24 millions. To show that the statement was not correct, he called upon the House to attend to the following calculations:—The amount of unredeemed funded debt, 5th Jan. 1816, was 816,311,939*l.* On 5th Jan. 1822, 795,312,767*l.* Diminution since 5th Jan. 1816, 20,999,172*l.* Unfunded, 5th Jan. 1816, 43,938,823*l.* On 5th Jan. 1822, 41,514,061*l.* Diminution 2,424,762*l.* Making the real diminution 23,423,924*l.* But the chancellor of the exchequer had said, that the diminution was 24,766,520*l.* This was accounted for as follows, viz:—Of the loans raised in 1815, for which no less than 87 millions of capital was created, at the rate of 100*l.* for every 52*l.* of money received, 5,939,803*l.* of the money remained to be paid after the 5th Jan., 1816, although the whole of the capital created was included in the account of 1815; and with the 5,939,803*l.* of money received in 1816, three per cent stock was purchased at 62, to the amount of 9,563,082*l.* And there was cancelled between the 5th Jan. 1816, and the 5th of Jan. 1822, by conversion into life annuities, 3,268,964*l.* In 1816, there was received from the Bank three millions, at an interest of 3 per cent, with which three millions there was cancelled of other 3 per cent stock, 4,840,000*l.*, being an excess of 1,840,000*l.* And in 1818, 2,999,920*l.* money was received from certain holders of 3 per cent stock, to the amount of 27,272,000*l.* for converting that amount into a 3½ per cent stock, and with the 2,999,920*l.* there was purchased of three per cents, 3,846,000*l.* And in 1820, seven millions of exchequer bills were funded for 6,930,000*l.* of 5 per cent stock, with which amount of bills, 10,202,500*l.* of three per cents were purchased, being an excess of 3,272,500*l.* And there has been cancelled of 3 per cents by the operation of redemption of land tax, 664,032*l.* Total diminution accounted for, 22,454,578*l.* Leaving, by the operation of the sinking fund, a diminution of only 2,311,944*l.* according to the chancellor of the exchequer's own statement, and of 968,758*l.* only, according to the real fact; although, in the same period there had been an actual excess of taxes of no less than 7,528,869*l.*; and so far from there being any diminution in the annual charge, although the rate of interest on the unfunded debt had been reduced from 3½*d.* to 2*d.* per day, making a total reduction of no less than 941,500*l.* per annum, the amount actually charged for interest and management of the unredeemed debt, funded and unfunded together, had been, in 1817, 31,266,601*l.*; in 1818, 31,351,751*l.*; in 1819, 30,792,025*l.*; in 1820, 31,256,120*l.*; in 1821, 31,966,078*l.* The hon. gentleman concluded by insisting, that present relief was the policy of the country, until all interests were set straight. He was decidedly against the plan of keeping a surplus in hand, to meet possible future deficiencies of revenue.

Mr. *John Smith* believed it would have been impossible, without the aid of the sinking fund, to have raised the immense supplies that we had raised during the war. He thought, indeed, that even what was called the sham sinking fund, had been useful during the war, as it had tended to keep up the prices of stocks, and to support public credit. Whenever the funds had fallen, the commercial interest would be found to have suffered. He remembered the three per cents at one time as low as 47; and scarcely a merchant at the time knew one day whether he should be able to take up his acceptances the next. Recommending, in its fullest extent, economy and retrenchment, he should vote for the propositions of the chancellor of the exchequer.

Mr. *Monck*, under the present circumstances of the country, contended, that a sinking fund was not only useless, but decidedly mischievous. The arguments in support of one were—1, to keep up the price of stocks; 2, to extinguish the debt. With respect to the first, he doubted whether the mass of the fundholders derived much benefit from the high price of stocks. If they received the interest for their money, that was all that they wanted. Perhaps to large capitalists, who speculated much in foreign loans, it might be advantageous, because their object was to sell out. But even this effect had been exaggerated; as in 1792, when the sinking fund was very low, the three per cents were at 97. The national debt had been so contracted, that it could never be reduced. The more that was paid, the more we had to pay. We had, in fact, sold annuities of 3*l.* for 57*l.*, which we were to redeem, if at all, at 100*l.*—a bargain which would never be maintainable in a court of equity. If the nominal capital of the debt was 1,000 millions, and the price of stocks 70, the country, according to the selling price, was 700 millions in debt. If we paid off 100 millions of this debt, though the capital would be numerically reduced, the price of stocks would have risen from 70 to 90; so that, instead of having reduced, we should have increased the real amount of the debt. It would be much better, instead of attempting to pay off that debt, to apply the surplus revenue to the reduction of taxes. In this way, the Americans, at the close of the war, having an expenditure of four millions of dollars beyond their revenue, raised small loans, till, in the last year, their revenue had increased so as to enable them to reduce their debt.

Mr. *Ricardo* said, it was true that the government of America had borrowed 4,000,000 dollars, and that, by bringing capital from other countries, it had, in fact, improved its resources. It was also true, that the effect of the sinking fund was at present to raise prices against ourselves. But this was true of every sinking fund. The question was, had not the sinking fund reduced the annual charge? It certainly would do so if correctly applied. A real sinking fund, if properly appropriated, was a great good. To a fictitious sinking fund he had many objections. But there was a great difference between the two. A real sinking fund applied to pay off the debt, would raise the price of stocks, and enable us to borrow on better terms. Many members had no hopes that a real sinking fund would be preserved. They, therefore, objected to grant a sum for a purpose, the beneficial effects of which they were never likely to see. His hon. friend, the member for Taunton, had facetiously observed, that because he (Mr. R.) thought ministers were going to rob the sinking fund, he would willingly take it away himself. It was, he thought, good policy, when his purse was in danger, rather to spend the money himself than allow it to be taken from him. He did not, he confessed, think the national purse safe in the hands of ministers. It was too great a temptation to entrust them with. What he wanted was a real sinking fund, and therefore he supported the present as far as it was real. But there was every reason to believe it would become fictitious; for every sinking fund had, in its origin, been real, but had all been turned into fictitious funds. As to the Annuity bill of last year, he hoped the whole of it would be repealed, and the amount be transferred to the sinking fund. It had been estimated that 2,000,000*l.* of those annuities would die off annually. Let this sum be applied to the purposes of the sinking fund. The hon. member for Taunton had, on a former evening, been severe on him, giving him credit for the ability of his calculations, but denying that he looked sufficiently at their political and moral consequences. Now, he claimed the merit of extent in the scope of his views beyond the hon. member. He felt deep alarm at the heavy amount of the debt, and at the want of proper means to lighten it. His hon. friend, with his enlarged views, wished for a sinking fund, not to pay off the debt, but to furnish ministers with the means of going to war, in cases of extremity. But, if this fund were to be so appropriated, how was the debt to be paid off? He would tell his hon. friend, if no means were taken to pay it off, that he was sleeping on a volcano. He thought a national debt of 800 millions a very serious evil; and he thought so from the heart-burnings which were occasioned by the taxes levied to pay it, which in one year affected one interest, and the next year another interest. Taxation pressed on every interest; and did he not propose to benefit mankind when he said we ought to endeavour to get rid of the debt? By doing this, should we not get rid of the expense of collecting taxes? Should we not get rid of the immorality of smuggling, and of the excise laws? By getting rid of smuggling, should we not benefit trade? For all the profit of the smuggler was a tax on the whole community. Neither would it be a trifling benefit, in a constitutional point of view, that it would deprive ministers of a great deal of patronage. It would also confer great benefits on our commerce, by putting it in a natural state. At present, from the duties and restrictions of customs and excise, it was in a most unnatural state. Was this legislating for men, or for stocks and stones? He had before stated, that he thought a great effort should be made to get rid of the debt; and he had mentioned a plan which he thought should be adopted. The hon. and learned member for Winchelsea had opposed his plan; and had said, that it would throw the whole land of the country into the hands of pettifogging attorneys; but of this there was no danger. Parliament might interfere, and give secure titles to the land which was disposed of, without the interference of pettifogging attorneys. Let it not be said, that he was not aware of the difficult situation in which the country stood. Nothing else could have induced him to recommend the measure. He could be quite easy in recommending the measure of a sinking fund, if they had a different kind of parliament—one that moved in more direct sympathy with the people. He confessed his fear of the present parliament, and its disposition to ministerial compliance. His hon. friend asked, in case of applying the sinking fund, what they were to do should a new war break out? If that was the real view, they should not call it a sinking fund. They might call it a fund for ministers to divert to particular purposes, but not a sinking fund. But, suppose a new war to break out, no such thing as a sinking fund ever having been heard of—was his hon. friend ready to vote a fund prospectively to be at the disposal of ministers, in that event? Let him say yes, and they would understand each other.

Mr. *Baring* said, that, with every respect which he might have for his hon. friend's talents and the ingenuity which marked the speech which he had just made, he must be allowed to say he had never listened to one which led to such—(not to say absurd—that term would savour of want of courtesy), but so singular a conclusion. To begin with the plan of paying off a part of the debt, by a new disposition of the property of the country, he must be allowed to say, that it was the plan of a man who might calculate well and read deeply, but who had not studied mankind. It was ingenious in theory, and obvious enough; but not very sound for practice. His hon. friend said, that they could give a good parliamentary title to the property to be disposed of. He would put it to the country gentlemen, whether all the burthens of taxation, of which they had complained, could make them experience half of what they must feel, on having a proposition put to them to convey, by "a good parliamentary title," not less than one-third of their property to the fund-holders. He did not pretend to any thing like the reach of intellect possessed by his hon. friend, but he thought his hon. friend sometimes over-reached himself, and lost sight of man, and of all practical conclusions. On another point, the sinking fund, his conclusions appeared equally extraordinary. He admitted that a sinking fund was good in itself. Then, it must be good as long as it should last in a real state. Were it only for a year, *pro tanto* it must, by his own admission, be a benefit. Ministers had his hon. friend's argument to set off against his vote. He had always thought the question of finance unfairly stated, when one interest was set up against another. The question was, as to what should be done, upon a general view of the finances of a great empire. When hon. gentlemen talked of getting rid of taxation, and relieving the country of burthens, they should also say what course of general policy they could suggest, to relieve the country from the responsibility and consequences of the war. He considered the sinking fund useful, as something to begin upon, in case of a war. In making a loan, much saving would be effected through it. They all knew, that if the war did come, loans must be made, because the expenses would always go beyond the ways and means of the year: but that contingency could be no objection to the operation of a sinking fund, employed, in the mean time, to decrease the debt. The case of America, cited by an hon. member, appeared to him to be the strongest of all. Except in time of war, and during the declaration of independence, America always had a sinking fund in action. Since the late war, all their surplus had been applied to the immediate reduction of debt. The real principle of a sinking fund went farther than to the reduction of debt: it gave certainty to the transactions both of the government and of the country. The sinking fund, during the war, served as a barometer to ascertain the pitch of public credit, and by that the limits of the nation's resources. The hon. member for Aberdeen had gone over a long string of figures; but the argument, that applying a sinking fund to the reduction of debt would plunge the country deeper into it, was as much as he could listen to—more than he would undertake to reason upon. It was like arguing him into a belief, that the place in which he was then standing, was in perfect darkness. The power of the sinking fund over the debt had been under-rated. It was said, what are 5,000,000*l.* towards the reduction of 800,000,000*l.* But the 5,000,000*l.* should be compared with 30,000,000*l.* of interest, and not with 800,000,000*l.* of capital: 5,000,000*l.* of interest represented 120,000,000*l.* of capital. That sum settled in permanency, would soon exhaust the debt. He was convinced that we were pursuing a right course. If the people were to be continually invited to petition for the reduction of taxation, they would not stop while a single tax existed.

The House divided: For the amendment, 57; Against it, 93. The report was then agreed to.

HOUSE OF COMMONS.

Friday, March 7.

King's Property Bill.]—The House having resolved itself into a committee on the King's Message,

Mr. Secretary *Peel* said, he should propose that the chairman should ask for leave to bring in a bill, concerning the disposition of certain property belonging to his majesty. By the statute of queen Anne, and several other acts, the power of the crown to alienate real property was restricted. In 1799 another act was passed, which removed those restrictions, as respected real property that might be considered as the private property of his majesty. That act took away such restrictions as regarded all real property purchased out of the privy purse, all real property purchased with any monies not appropriated to the public service, or with monies received by the crown from any person or persons whatever, excepting only its predecessors. That was, the act did not apply to any bequests received by the crown *jure coronæ;* but it applied only to that which might be considered as mere private property belonging to the king, whether purchased out of the privy purse, or given by private individuals. Now, it was quite clear, that there was an omission in this last act; for it made no provision for that which might be the private property of the king, at the time of his accession to the throne. It only enabled his majesty, his heirs and successors, to dispose of their private property as kings; of that which they possessed, being kings; but not of that which they possessed as subjects, before their accession. At present, there was this strange anomaly in the law—that the sovereign was treated as a subject, with respect to private property acquired by him as king; and as a king, in regard to private property acquired by him, as a subject. The object of the proposed bill was, to provide that his majesty and his successors might dispose of the private property that the king might acquire before becoming king; that he might dispose of it in the same way as if he acquired it after becoming king. With respect to personal property, that did not at all affect the present question. The bill had no other object in view; and he thought every one would see the justice of making such a provision.

Mr. *Hume* wished to know what was the nature of the distinction meant to be taken between property possessed by the king as king, and property possessed by him as private property acquired as a subject? The act of 39 Geo. 3 directed, that the property should be consigned to trustees, that it should not go to the king at all, but become the property of the public. The statute of 1 Anne, too, prevented the king from acquiring any property. He had asked, last session, if the late king had made any will? and had been answered, that he had not. So that in this case the property should revert to the public; and the landed property had accordingly been taken under the care of the commissioners of woods and forests. He wished to know whether the present measure was to relate to the property which the king had inherited from his late majesty.

Mr. *Peel* replied, that what property the king held from his late majesty, was held *jure coronæ.* The bill would not apply to that, but only to the private property which the king possessed at the time of his accession.

Leave was given to bring in the bill.

Army Estimates.]—Lord Palmerston having moved the order of the day for going into a committee of Supply,

Mr. *Creevey* said, he was anxious to offer a few words, before they went into a committee for the purpose of voting away more than six millions of money, in a House certainly the thinnest that he had seen this session. And first, he begged to remind the House of a few facts, which really it at present appeared to have no notion of; namely, that the country was at that moment afflicted with a great and overwhelming calamity, called agricultural distress: that thousands upon thousands, under the pressure of this evil, were daily falling from comparative opulence to beggary and ruin; that an actual revolution was going on among a very great and numerous body in this country. He begged to remind the House also, that from every county of England the petitions of the people had been repeatedly presented to parliament, for the adoption of measures of retrenchment and economy; that they had been urging the necessity of a reduction of salaries of all kinds, that had been augmented during the late depreciation of the currency; and that they had been calling for the abolition of all useless offices. Nothing could be of a more serious nature than these requests and petitions; and no time more fitting for their consideration than when the House were going, in a committee of supply, to vote away six millions for the supply of the army; more especially if they recurred to the amount of the army estimates in 1792, and contrasted with it this estimate, to which there would be to be added, no doubt, for army extraordinaries about one million more. It was quite impossible to suppose, that great reductions might not be effected in this, as well as in all other departments of the public expenditure, or that government could not effect considerable reductions in all salaries, the amount of which had been augmented during the late depreciation of our currency. He knew very well that government had done so, with respect to the lower order of officers; namely, the unfortunate clerks, whose salaries they had cut down: but the sinecures, and the salaries of the great officers, it was much more necessary for them to look to, in consequence of the disgraceful measure of 1817, in respect of sinecures; by the operation of which a few of those sinecures were abolished, and many retained; while the members of the government, those high and efficient public men, as they were pleased to call themselves, took a large compensation in return for such abolitions. He wished to remind the House of these facts, that the country might know what sums were voted, and by what houses they were voted, in the face of their sufferings and in the midst of their petitions. By way of amendment, he would move, "That it appears to this House, from the estimates laid before it for the service of the army for the present year, that the same amount to 6,084,898*l.* 2*s.* 10*d.* exclusive of the army extraordinaries, which of late years have in general amounted to one million more, whilst the supplies for the army in 1792 amounted only to 2,331,149*l.*; that, in the present state of unparalleled distress and ruin in which the agricultural interests of these kingdoms are involved, it is the bounden duty of this House to reduce the estimates for the different public services of the year to as near the amount of 1792 as the safety of the state will admit; and, above all, that it is the bounden duty of this House to accede to the universal prayers and petitions of the people, in reducing all salaries or allowances, of whatever description, which were augmented in consequence of the late depreciation in the value of the currency, in abolishing all sinecures and useless offices, in reducing the salaries of all such officers as are overpaid, and in regulating, upon principles of the strictest economy, all such other offices, the duties of which are now performed by deputy."

Sir *T. Lethbridge* concurred in the general principle of the resolution; although he could not go the length of supposing, that the military estimates could be reduced, consistently with the honour and safety of the country, to the standard of 1792. He thought the reduction made in the salaries of public men during the last session, was by no means sufficient. They appeared to him to be remunerated beyond what the country could well spare. Every measure of reduction and economy should be adopted, that could be resorted to with safety.

Lord *Palmerston* thought, that if the hon. mover had any objections to urge against the estimates, it would be more consistent with the usages of the House to discuss them in the committee.

Mr. *Jones* denied that, with a military establishment, reduced below what it now was, we could keep the colonies which we had conquered in the last war. As to the public officers, he thought them rather underpaid than overpaid. He likewise contended, that reduction and economy had been carried as far as was consistent with the honour and safety of the country.

Mr. *Hume* contended, that a more correct and proper resolution had never been proposed to the House. The six millions which they were now called upon to vote for the army, did not contain all the items of expenditure. There was one million for the extraordinaries, half a million for the yeomanry, and a great expenditure for the commissariat and barrack department. He had expected to find a much larger reduction in the estimates than had absolutely taken place, now that the government had changed its policy, and withdrawn itself from the holy alliance.

The amendment was negatived without a division. The House having resolved itself into the Committee, to which the Army Estimates were referred,

Lord *Palmerston* said, it was not his intention to occupy much of the attention of the House, because the difference between the estimates of this year and those of the last was very trifling. The amount of force had not been varied, except by a small addition of two companies in the West Indies; and the amount of charge was 18,000*l.* less this year than it had been during the last. The House would recollect, that he had stated to it last year his expectation, that the estimates this year would be 50,000*l.* more than they had been last year. The reason of that was, that a number of troops were going and returning from the East Indies, and that they were maintained on their passage at the public expense; yet notwithstanding this circumstance, in consequence of the reductions which had been made, the diminution of expense altogether amounted to 18,720*l.* The increase of expenditure, from the circumstance he had alluded to, had not amounted to more than 28,590*l.*, owing to 10,000*l.* deducted for men who had not returned to England, as was expected. On the expenses for staff officers there was a diminution of 7,000*l.*; for the public departments 8,138*l.*; for medicines 8,300*l.*; and for volunteer corps, a diminution of 26,435*l.*; leaving a balance of decrease for the year, on the first class of estimates, of 21,156*l.* On the charges for recruiting troops and companies there was a decrease of 3,000*l.* On the retired charges, there was an increase of 7,000*l.* On the charges for the military college, a diminution of 2,000*l.* On the pay of general officers an increase of 394*l.* In the charge of garrisons there was an increase of 238*l.* Upon a general balance drawn from the increased expenditure in some items, and the decreased expenditure in others, the estimates for this year were less than those of last by 18,720*l.* The estimates for the year amounted in round numbers to six millions; of which full one-half did not belong to the active and existing establishments of the year, but to past and gone-by services; so that, in comparing the charges of the army now with those of any former period, this circumstance ought to be taken into consideration, seeing that one-half of the expenditure could not be saved, even if the whole of the army were to be disbanded. Taking all the charges for the army, including ordinaries, extraordinaries, miscellaneous, &c. the estimates were less than those approved of by the finance committee of 1817, by 950,000*l.*—The noble lord then moved his first resolution, "That a number of Land Forces, not exceeding 69,449 men, and also 2,691 men for service in the Royal Veteran Battalions in Ireland (exclusive of the men belonging to the regiments employed in the territorial possessions of the East India Company, commissioned and non-commissioned officers included), be maintaind, for the service of the united kingdom of Great Britain and Ireland, from the 25th Dec. 1822 to the 24th Dec. 1823, both days inclusive, being 365 days."

Mr. *Hume* did not think that, under the present circumstances of the country, the number of troops embodied was too great. He objected, however, to the number of foot-guards and cavalry, which now amounted to 14,000 men. Any person, who looked at the state of this species of force in 1792, must be astonished at its amazing increase.

Mr. *Denman* said, it appeared to him, that all the votes on which the committee was likely to be engaged that evening, ought, under existing circumstances, to be considered as merely provisional. The state of the country, at that moment, might be very different from its state in four and twenty hours. Every fresh arrival was likely to decide the fate of its foreign relations, and accordingly as that was decided, must its establishments be regulated. He allowed, that if peace could be preserved, reduction ought to be carried to the fullest extent. His vote had always been in support of that principle, being convinced that, while the maintenance of peace was practicable, taxation ought to be reduced, and that that could only be effected by a proper diminution of the expenditure of the country. He could not, however, avoid observing, that in the present aspect of affairs, he looked at the subject with very different feelings. It appeared to him, that till lately the extravagant feats of folly and despotism, which some of the rulers of the continents had thought proper to exhibit in the face of day, had not been credited by the people of England. The eyes of the country seemed to have been almost closed to the frequent delinquencies of these monsters in the shape of men. Their plans and projects seemed to have been considered as a mere fable, and to have been neglected, as if they were too absurd and too iniquitous to be contemplated, even by the most barbarous tyrant that ever ruled over the most barbarous of nations. It was only now, when they heard that France avowed and defended the same monstrous and abominable views by the lips of her first minister, that the people of England were convinced that the question was approaching them in a practicable shape. He should not pretend to point out to the committee the measures which the country ought to pursue in such a state of things. That would be better explained by those in whose hands its destinies were placed. He regretted the absence of the secretary for foreign affairs. Had he been present, he should have put certain questions to him, which he was now prevented from doing. He trusted, however, that the right hon. gentleman had not only tried every species of negotiation to prevent the war from breaking out, upon the principles and for the objects for which it was avowed to be undertaken; but that he had also given a direct intimation to the parties most concerned, that if the war was undertaken against Spain, it would be met by the most determined hostility on the part of this government, in vindication of its own honour, and for the support of the general independence and liberty of the world. That was the only course which a great and free country ought to adopt. No man could be more rejoiced than he had been by the accounts of what had been said at Harwich and at Liverpool. He rejoiced above measure at finding a minister of the crown avowing himself a friend to the extension of civil and religious liberty all over the world; but he must say that liberty, civil as well as religious, would be extinguished for ever, if this country should remain an inactive spectator of the atrocious aggression which was now meditated against Spain. He would put one or two plain questions to the committee. Was Spain to be overrun, and suffered to become a province of France? If it were, what was to be the condition of Portugal? Or was the war to be protracted? If it was, was it not clear that the balance would be turned, by an irruption of the barbarians of the north into the fertile provinces of western Europe, and by an attempt on their part to settle in regions where no man of common prudence could wish to see them established? What would be the feelings of Spain towards us, if she should be either conquered or successful, without the interference of England? Were we not to lay any claim to the gratitude of that gallant and high-spirited nation? Was she to be left to work out her own salvation, or was she to be subjugated without England outstretching her powerful arm in her defence? He mentioned this now, because the question was every hour coming closer and closer to our own bosoms; and the committee might depend upon it, that, if the claims of the tyrants by whom the continent was now infested, were not manfully resisted, our own liberties would be in danger, and our own independence would be more than compromised. The war of France upon the liberties of Spain had not, indeed, yet commenced. He trusted that a strong remonstrance had been made to the infatuated junta who now misruled that fine country, informing them that the moment a French army crossed the Pyrenees, or fired a cannon on the southern bank of the Bidassoa, France would be considered as in a state of positive hostility with England. If they did not now determine to meet, as became the natives of a free country, the danger with which every free country was menaced by the arbitrary tyrants of the holy alliance, they might be sure that the danger would come upon them; and he would ask, could they ever meet it under more favourable auspices than they would do now, when the indignation of every honest heart was excited to the uttermost, by the monstrous principles of aggression and tyranny that had been unblushingly avowed by the government of France, and when every breast beat high with the desire of humiliating those haughty monarchs who had compelled it to propound doctrines so derogatory to the dignity of man? He knew that the sentiments which he was then uttering were the sentiments of by far the largest portion of the people of England; and he likewise knew, that they were sentiments which would increase, if hostilities were actually to commence. Besides, the committee ought to recollect, that Portugal had determined to make common cause with Spain. The cause of Spain was clearly the cause of Portugal; and the situation of the one was replete with all the dangers which threatened the other. Now, putting out of view the great question of national independence, we were bound by treaty to prevent Portugal from being overrun by any foreign power, and to lend her our assistance whenever that assistance was invoked. That assistance, he was given to understand, had already been invoked; and the reply given to it was, that England would not be backward with her aid, in case the invasion of Portugal should be attempted. If this were really the case, and he judged that it was so, from the state paper which had appeared in all the public journals, how could Portugal be secure, when Spain was invaded? He did not pretend to know what ministers were doing, but he trusted they were making preparations for the worst that could happen, knowing that they were certain of the active co-operation of the people of this country, in case they should determine to resist the invasion of Spain.

Mr. *H. Sumner* did not believe that the learned gentleman expressed the feelings of the majority of this country, when he advocated the propriety of our interfering in the approaching war. The learned gentleman had stigmatized as mad, the conduct of France in attacking Spain. He would allow it to be mad; but he asserted, that this country would be still more mad, if she were to volunteer a war in defence of Spain. He should be opposing the popular feeling, if he were to advocate the expediency or the justice of the attack which France now meditated upon Spain; but he should be opposing it still more, if he were to urge the necessity of England going to war, to prevent the success of that attack. The cause of Spanish liberty would not, he thought, suffer much from that attack; for he believed that there was just about as much real liberty in the Spanish constitution, as there was real property in the Spanish bonds; and that the subjects of the one and the holders of the other would equally be sufferers. He contended, that it was not in the physical power of France to conquer Spain. The experiment had been made by Buonaparté, but it had failed. The remark was as old as Charles 5th, that if Spain was invaded with a small army, that army was beaten; if with a large army, it was starved. The best interests of this country were involved in the preservation of peace. He applauded the prudent course ministers had hitherto pursued, and hoped that they would carry into full effect their professions of strict neutrality.

Sir *W. de Crespigny* also advocated the propriety of our observing a strict neutrality.

The resolution was agreed to. On the resolution, "That 1,841,658*l.* 18*s.* 8*d.* be granted for the charge of the Land Forces for service in Great Britain and on the stations abroad (excepting the East Indies) for the year 1823,"

Mr. *Hume* objected to the charge for the recruiting service, which was 46,000*l.* for Great Britain, and 14,000*l.* for Ireland. He would take the sense of the House upon those items when the report was brought up. The expense of Albany and Chatham barracks was also too great. These establishments might advantageously be united.

Lord *Palmerston* said, that from the charge for the recruiting service was to be deducted 14,000*l.* for dismounting two regiments of cavalry coming from Ireland, which expense would not again be incurred. The establishments at Albany and at Chatham were indispensable, and could not be advantageously united. The one was the depôt for recruits before their embarkation to join regiments on foreign stations; the other was the place at which invalids, on returning home from foreign stations, were examined previous to their transfer to Chelsea. To place these two descriptions of persons together in the same barracks, would be subversive of military discipline.

Mr. *Hume* complained, that no less than five clerks and a paymaster were employed at Chatham to pay a few hundred men. He also complained of the large expense of the riding establishment; to him it appeared utterly useless.

Lord *Palmerston* said, that the five clerks and the paymaster were necessary, in consequence of the complicated nature of the accounts. As to the riding establishment, no part of our military system was more valuable. It was extremely important, that the system of riding throughout the army should be uniform. Even if that establishment were broken up, the pay of the officers employed in it would remain.

Captain *O'Grady* could not see why those who had received instructions in the riding establishment could not communicate their knowledge to the regiments to which they belonged, unless they were like dancing dogs, who were capable of being taught, but incapable of teaching. There was not the slightest ground for keeping up this establishment.

Mr. *Bernal* said, the establishment had existed for so great a length of time, that the whole body of our cavalry must be sufficiently instructed. It would be very satisfactory, if the noble lord would give any intimation, when, in his opinion, the establishment might cease without detriment to the public service.

Lord *Palmerston* said, it was not sufficient to teach one or two individuals of a regiment, in order that they might communicate their knowledge to others. Unless the roughriders were constantly kept up to a certain point of discipline, the regiments soon relapsed into their old habits. He should propose the maintenance of the establishment, as long as it appeared to him to be essential to the public service. Whenever it ceased to be so, he would propose its reduction.

The resolution was agreed to. On the resolution, "That 134,000*l.* be granted, for defraying the charge of Volunteer Corps in Great Britain, for the year 1823,"

Mr. *Hume* thought that these corps ought to have public spirit enough to serve without any allowance; especially as they could keep horses without paying the tax, and enjoyed several other privileges.

Lord *Palmerston* thought that 3*l.* a man could scarcely be considered an unreasonable sum for the persons, generally farmers, who performed the service. Indeed, the amount was barely sufficient to meet the expenses to which they were exposed.

Sir *T. Lethbridge* bore testimony to the valuable services rendered by this constitutional force.

Mr. *F. Palmer* thought there would be less objection to the yeomanry corps, if they served, as formerly, without any expense to the country. As to the usefulness of the force, he must venture to doubt. He had, some time ago, gone to a review of what was considered quite a crack corps: he alluded to the Buckinghamshire corps. Their discipline was admired, and they were considered as being altogether well equipped. They were mounted, however, not very advantageously. One man rode a pony, while the next to him rode a horse of 16 hands high. The horses were of all sizes. He left the House to judge what sort of a charge could be expected from such a body of troops. Many of the members of these corps enlisted to save the horse-tax.

Mr. *J. Benett* defended the Wiltshire yeomanry, among whom there was not a member who did not ride his own horse. He approved of the grant, because the yeomanry corps were a constitutional force. If any thing would justify the reduction of the regular army, it was the efficiency of these regiments, which were never used as a political engine against the people, and had been most useful in quelling civil riots. Because he disliked the existence of a regular standing army, he approved of an efficient yeomanry force, which was composed, in the essential import of the words, of the people of England.

Mr. *Freemantle*, as commanding officer of a regiment of the Bucks yeomanry, could not sit still and hear that regiment treated so slightingly. He would maintain, that a corps was never turned out in more perfect discipline. He thought the country was not very grievously taxed in paying 3*l.* a man for such troops.

The resolution, together with the rest of the resolutions, were then agreed to. The House resumed, and the report was ordered to be received on Monday.

HOUSE OF COMMONS.

Monday, May 10.

ARMY ESTIMATES.] On the order of the day for bringing up the Report of the Committee on the Army Estimates,

Mr. *Hume* said, he wished to offer a few observations before the report was received. It would be remembered, that his majesty, in the late speech from the throne, when speaking of the estimates for the current year, had said, that they were prepared with every attention to economy, and that the total expenditure would be found materially below that for the last year. Experience had taught him to place little confidence in the promises held out in these speeches from the throne; and, upon the present occasion, a comparison of the proposed estimates with those of last year, justified his suspicions. The army estimates for last year amounted to 6,103,068*l.*; and, for the present, to 6,087,398*l.*: making a difference of only 15,670*l.* Surely this could not be the material difference which his majesty said would arise! He was aware, that, in the state of Spain, it might not be advisable to reduce the military establishment; but why were economical expectations held out, which it was not intended to realize? It was not with any intention to take the sense of the House upon it, that he should propose an amendment, but merely with the view of putting upon record the opinion it contained. It was as follows: "That it appears, by the estimates on the table of the House, that 6,103,068*l.* was voted for the ordinary services of the army in 1822; and that the estimates for the same services for 1823, amount to 6,087,398*l.*, being only 15,670*l.* less for this year than for the last year; that, therefore, this House is of opinion, that so very small a reduction in the estimates of upwards of six millions sterling, has not realized the expectations raised by the speech from the throne, which stated, that the estimates of the current year 'have been framed with every attention to economy, and the total expenditure will be found to be materially below that of last year.'"

Colonel *Davies* said, that if he did not at present offer any opposition to the amount of an estimate which, under ordinary circumstances, he should think excessive, it was because he feared that war was almost inevitable, not merely between France and Spain, but between France and England.

Lord *Palmerston* said, it might be very proper for the House to express an opinion upon this subject, when it should have seen all the estimates; but before it had seen the charges for all the different heads of service, he thought that the expression of such an opinion would be at least premature. Last session he had informed the House, that, should the same establishments be kept up as was then provided for, the charge for the present year would be increased on various accounts, by 50,000*l.* But, instead of that being the case, the charge was nearly 18,000*l.* less than last year. Now, in point of fact, he was entitled to assume the 50,000*l.* in question as saving also, which, added to the 18,000*l.*, would amount to 68,000*l.* But 18,000*l.* at any rate was reduced.

The amendment was negatived without a division. The report being brought up,

Mr. *Grey Bennet* said, he thought the present establishment totally disproportionate to the state of the country. If affairs on the continent of Europe should experience a favourable change, he would bring forward a motion for the reduction of that establishment.

On the resolution, "That 114,337*l.* 1*s.* 2*d.* be granted for Allowances to the principal Officers of the Public Departments,"

Mr. *Hume* wished to know whether there was any chance that the business of the arrear department of the noble lord's office would ever be settled? The promise held out in the first instance was, that a very short space of time would suffice for the completion of that business. Cases of peculiar hardship had arisen out of this institution. Officers, whose accounts were disputed, had been obliged to remain for years without pay, and, in some cases, to refund, after extraordinary lapses of time, sums, of their liability to pay which they could have formed no conception. He thought it was not right to allow the accounts of individuals to run on for five and twenty years, and then to call on them, or their representatives, to make good deficiencies. He entreated the noble lord to put an end to this establishment, which cost the country 15,000*l.* a year.

Mr. *T. Wilson* heartily concurred in the remarks of the hon. gentleman. Cases had occurred, within his own knowledge, of extreme severity.

Lord *Palmerston* said, he perfectly concurred in what had been said, as to the hardship of many of the cases, and had felt himself at liberty to relax very considerably that rigour which he would always apply to the examination of recent accounts. When, however, it did appear on the face of an officer's accounts, that he had received a sum of money which he did not account for, he (lord P.) could not think it a hard proceeding to call on such an individual for his balance. From 122 accounts of agents, and 943 accounts of paymasters, there had been struck off the sum of 45,245*l.* by the researches of the department alluded to. He maintained, that this sum was as much saved to the public, as if it had been paid into the Treasury. Of monies received from the agents, there had also been actually paid into the Bank 15,757*l.* The whole expense of the department employed to call in these deficiencies had not been more than 8,170*l.* So that the charge had been amply covered by the produce of the labour.

Agreed to. On the resolution, "That 19,384*l.* 4*s.* 2*d.* be granted for the charge of Volunteer Corps in Ireland,"

Mr. *Hume* observed, that the act for keeping up the volunteer corps in Ireland would expire in April. He wished the House to consider how far it might be desirable not to renew it. When originally embodied, they consisted of Catholics and Protestants indiscriminately, and that they had been of great use nobody could deny. But, in the lapse of time, various abuses had crept into those corps, by which they had been rendered no longer equal to the duties which they formerly performed. Instead of being serviceable in maintaining the public peace, they had lately been the cause of more public disturbances than any other set of men. The right hon. secretary (Mr. Peel) had admitted, on a former evening, that the greater part of the yeomanry in the north of Ireland were Orangemen. He had also expressed his disapprobation of secret oaths. Now, if the right hon. secretary brought in his bill to prevent such secret oaths from being administered in Ireland, in what situation would he find himself as to the Orangemen, who formed so large a part of these volunteer corps? Was it possible for him to undo oaths already taken? Was it fitting that they should remain in such corps, after taking those oaths, the terms of which had been stated to the House on a former evening? There were in Ireland 32 counties. The number of yeomanry was 30,786. But how were they apportioned? In the nine counties of Ulster, there were no less than 20,131; while in the 12 counties of Leinster, there were only 5,915; in the six counties of Munster, 2,361; and in the five counties of Connaught, 2,379. If the yeomanry were of use for the preservation of the public peace, why not send larger bodies to those places in which the public peace was most liable to be broken? If it were not so, however—if they were kept up principally for party purposes, then it was the duty of parliament to put them down. It had become the practice not to admit any individual into these corps who was not an Orangeman [No, no!]. He would appeal to the hon. member for Armagh, whether that was not the practice? What was the case in Derry? When the Derry yeomanry were first embodied, they amounted to little more than 200 individuals, Catholics as well as Protestants. But now their number was doubled; but he doubted whether there was one Catholic in it. That corps was an exclusive body, comprised of what was called the loyal party; and it had often been made the cause of disturbance rather than the means of preserving tranquillity. He would ask the attorney-general for Ireland, whether he had not repeatedly received complaints of the ill conduct of the Orange yeomanry towards their Catholic fellow-subjects? Shortly after the institution of certain legal proceedings in Dublin, had not that right hon. member himself been burnt in effigy, and otherwise publicly condemned for his conduct by the yeomanry and other Orangemen of various parts of the country. Was it not matter of general notoriety, that the public peace had been, in various instances, broken by those who were armed for the express purpose of preserving it? If they wished to discountenance such practices, the most effectual course would be to resist the proposed grant. With this view, he should propose, as an amendment, "That the sum granted should not exceed 9,692*l.* 2*s.* 1*d.* being sufficient to support the corps for six months."

Sir *John Brydges* said, he did not know the source whence the hon. member had derived his information, but he would take the liberty of telling him, that it was incorrect. During the whole of the late rebellion he had had the honour to serve in Ireland, and to have several yeomanry corps under his command, and he was bound to declare, that no men could perform their duty with more zeal and energy than those corps had done. The hon. member was quite mistaken in supposing, that the only qualification necessary to obtain admission into a yeomanry corps was to be an Orangeman. He (sir J. B.) knew of no other qualification than loyalty and good conduct. He supposed the hon. member proposed his amendment upon economical grounds. If that were the case, the hon. member would find himself mistaken. There was no species of military force so constitutional, and at the same time so economical, as the yeomanry corps.

Sir *George Hill* said, he could not have anticipated that he should have had to express obligation on any subject to the member for Aberdeen, yet he now offered him his thanks for having given him an opportunity of refuting the acrimonious, malignant, and unfounded aspersions which he had cast upon the yeomanry corps of Ireland, and particularly against the Londonderry yeomanry, which the hon. member had ventured to assert were raised for the purposes of disturbance. Now, he desired he would state from what source he had presumed to make such an assertion.

Mr. *Bennet* intimated that Mr. Hume had not used the expression.

Sir *G. Hill* resumed. He maintained, that when any hon. member aspersed a body of men who had performed such signal services to their country, it was his duty to give up the source of his offensive statements. He suspected he knew the source from whence they came. He utterly denied that such a qualification was required for becoming a member of a yeomanry corps as that he should have previously entered into the Orange association. The oath of allegiance in Ireland, as in England, was the only measure of qualification required; and if such corps were considered essential to the peace of this country, how much more necessary must they be to the preservation of the peace of Ireland. It had been stated, and truly stated, on an important occasion in November last, that in three provinces out of four in Ireland, a treasonable association and conspiracy existed, for the purpose of overthrowing the constitution, of upsetting the Protestant religion, and extirpating the Protestants of Ireland—an association which he could prove had existed since the year 1811. On what authority had that statement been made? On no less than that of the attorney-general, during the recent trials of the Ribbonmen in Dublin; where it likewise was stated by him, that these conspirators deprecated these premature bursts of rebellion in the south and west of Ireland, and that they had not waited for a favourable occasion, when one common and successful effort might have been made. Such were the dangers which surrounded the loyal people of Ireland, for whose protection the body of men who were now so grossly calumniated had been raised, yet whom it was proposed at once to annihilate. The hon. member having so pointedly alluded to the Londonderry corps, the House would permit him briefly to state what had been the conduct of that corps. Having offered their services generally to government, for any part of Ireland, an additional military force being required in the south, 300 of this corps were placed on permanent duty in Derry, from the 24th Oct. 1821, until the 24th June, 1822, thereby liberating a regiment of the line to quell the disturbances in the south. The 7th December, being the anniversary of the shutting of the gates of Derry, in 1688, occurred during the permanent duty of this corps—a day which had hitherto been celebrated annually since that glorious event, with cheerfulness and harmony; yet, in Dec. 1821, during the permanent duty of this corps, the usual ceremony was altogether abstained from by them, in deference to the modern offence taken at such exhibitions; and up to the close of their permanent duty in June last, not a complaint of any description was brought against them. But this attempt of the hon. member to asperse this corps, was not the first that had been made. On the 22nd Sept. 1821, his hon. friend, the under secretary of state, one of the members for the county of Londonderry, and himself, arrived at his residence in the neighbourhood of that city. Within an hour after their arrival, a body of about 300 citizens came from the town to welcome their return amongst them. His hon. friend and himself received this compliment with all due acknowledgments to these affectionate and loyal friends: they shortly stated to them the object and result of his majesty's then recent visit to Dublin, his admonitory advice, which they were all bound to follow, and which might readily be done without any compromise of their politics. Such was the nature of and substance of what passed on this interview, which did not last more than half an hour. It did not appear on this occasion, that there was one single yeoman in arms or in uniform. That there might have been some few members of the corps in the crowd assembled, he would not pretend to deny; but in the capacity of citizens and constituents alone, they made this visit to his hon. friend and himself. Was there any breach of conciliation in this proceeding? Yet the House would be surprised to learn, that on the following Sunday a representation was made, and a memorial forwarded from the Roman Catholic chapel of Derry, to the government of Ireland, signed, as coming from the Roman Catholics of Derry, by a chairman and a secretary, accusing him and the yeomanry of Derry of an infringement of his majesty's admonitory letter, and of having, on that occasion, in the capacity of armed yeomanry, offered outrage and insult to the Roman Catholics of Derry. Without any explanation required from him, this complaint and memorial were transmitted to the brigade major of the district, with orders to hold an immediate court of inquiry on the subject. The brigade major gave notice of trial, which was held in public; it lasted four days, himself and his corps subjected to a statement made against them of an able lawyer; many witnesses were examined, yet none of the yeomanry were proved to have assembled, as such, upon the occasion alluded to, in uniform or in arms. Party tunes were alleged to have been played; and what were they? "The Protestant Boys," "Croppies lie down," and "God save the King." The whole evidence was reported to the government, which afforded a complete refutation of all the charges that had been made, or that this assemblage was intended other than as a mark of esteem to their representatives. A letter was consequently addressed on the part of government, to himself and to his corps, stating that the charges were considered by the government to be totally unfounded. This had been one of the many modes taken in Ireland, for promoting harmony and conciliation between the Protestants and Roman Catholics!—The yeomanry of Ireland, not only deserved, but required their confidence, in the present situation of that country. Rebellion in the south was going on at that hour, and treasonable conspiracies in other parts; and it was impossible that human nature could bear to hear, night after night, the aspersions that had been cast upon these valuable corps. He was not, and never had been an Orangeman—he was neither bound by oath or association to those bodies. He had been brought up in what were called Orange principles; he prided himself in them, and would maintain them to the day of his death; but, with secret oaths or secret associations he had nothing to do. Those associations were mostly to be found amongst tradesmen and farmers, who, impelled by the first principles of human nature, those of self-preservation, had originally associated for the sake of protection, and nothing else. With respect to the projected bill for extending the law of England to Ireland, with regard to secret oaths, he was not one of those who would uphold the doctrine, that what was illegal in England, might with impunity be done in Ireland. Therefore he was decidedly for assimilating the law in both countries. Loyalty was peculiarly to be encouraged in the present times. Ultra loyalty was no doubt the leading crime attributed to the Orangemen, but loyalty of every kind was not necessarily or usefully promoted by secret oaths.

Mr. *Spring Rice* said, he was as strongly opposed as any man could be to the principles upon which the Orange societies were founded; but he knew that they comprised among their members some of the most honourable men in the country, whose power of utility was only cramped by their party ties. That observation applied both to the sworn Orangemen and to those who, like the right hon. baronet, had taken the infection in the natural way. That right hon. baronet seemed to think, that the oath was the only objectionable circumstance connected with the Orange associations. He disclaimed the oath, but he declared that he would cherish the spirit of Orangeism. The right hon. baronet must know, that it was not the oath alone which rendered those societies bad. The ceremony of taking an oath was used in the Freemasons' society; but no objection was ever made to that. Nor were the Orange societies made the subjects of censure merely on account of the oath which was taken by their members, but because they tended to endanger the peace of the country. The conduct of Orangemen was frequently defended in particular instances; but it could not be denied, that they were generally opposed to the feelings of the majority of the people of Ireland. Supposing the Catholics were the minority, what would be said, if they made an ostentatious display of their superiority by celebrating the triumphs which had procured them that superiority? The Orangemen in Ireland were in the habit of celebrating the battle of the Boyne. Such a proceeding might be very proper in England; but in Ireland it excited feelings of anger in the great mass of the population. That would not appear extraordinary, when it was recollected, that king William, in conquering James, had subdued the legitimate king of the Irish, who professed their religion; and that the consequence of the victory was the forfeiture of land to the extent of upwards of a million acres, and outlawries to the amount of 4,000*l.* He was of opinion, that the introduction of Orange societies in Ireland was to be attributed to the police establishment at Limerick. The hon. member next referred to an address presented to Geo. 2nd, strongly complaining of the spirit of party in Ireland, and stating, that those who fostered that spirit, however high their titles, their fortune or power, were enemies to their country, to order, and tranquillity. He concluded by calling on all who wished to see Ireland what she ought to be, to inculcate the principles laid down in the king's letter. If remonstrance should be found of no avail, he did not hesitate to say, that other steps ought to be taken—not to put down the Orangemen, but to restore them, the soundest part of the people, to those views that would render them the support and ornament of their country.

Mr. *Dawson* said, his hon. friend was incorrect in stating, that the police establishments introduced Orangeism into the south of Ireland. As a proof of the contrary, the following lines had been, for ages, inscribed on the gates of Bandon:—

"Turk, Jew, or Atheist
May enter here, but not a Papist."

Now, Bandon was the centre of Orangeism, and long had been so. It was unfair for gentlemen who knew nothing of Ireland, to make assertions reflecting upon others, and which must remove every hope of that conciliation which was so anxiously called for. It had been said that the Catholics were not allowed to enter into yeomanry corps. The fact was not so. The Catholics might have become members if they wished. In the north of Ireland, where the yeomanry were in greater numbers, the country was tranquil, and the laws respected; but in the southern parts, where the yeomanry force was small, the laws were violated, and the people so lawless, so radically bad, that they neither feared God nor respected man.

Sir *J. Newport* said, he had always been of opinion, that that kind of local force which might be so desirable for the protection of England, was not the best calculated for the preservation of the peace in Ireland; because there would be carried into it all those prejudices and party feelings, the effect of which it ought to be the object of such force to repress.

Mr. *Plunkett* regretted that any thing should have passed calculated to disturb that conciliatory spirit in which the House had been left, upon this subject, at the conclusion of a former debate. He had asked, whether certain facts had not come officially before him, showing that the yeomanry corps in Ireland had, in many instances, contributed to disturb the public peace? He distinctly answered, that no such instances had come before him, and he did not believe the fact. He felt it his duty to say, that, generally speaking, no such complaints had been preferred against them; and that they had been found extremely useful in preserving the peace of the country. At the same time, he could not but regret that so few Roman Catholics were enrolled in that body; and he regretted to hear it asserted, that that fact was to be attributed to their own fault. He remembered well the first establishment of those corps in Ireland. He had the honour of being amongst the first by whom their institution had been suggested. The suggestion was made at his house, in the year 1796; and an offer was made to the government by the profession to which he belonged, of their services. But he would state, as a fact, that the rebellion, to put down which this aid had been offered, was hatched and planned and carried on at that time not by the Catholics, but by the Dissenting Protestants of the north, and that from Dublin to Bantry-bay, there was not then a single Catholic an united Irishman. At that period the Catholic peasantry had shown the greatest alacrity in drawing the artillery for the king's forces. He could say, from his own experience, that the Catholics were anxious to enrol themselves in the yeomanry corps; but he was sorry to add, that the Protestants almost invariably refused them admittance. They then endeavoured to form a corps of their own; but were prevented by the interference of the government. They then desired to be admitted into any corps that would receive them. He was happy to state, as a proof of the liberality of the profession, that they were at last admitted into the lawyers' corps, and he could assure the House, that a great number of the individuals with whom he was then associated were Catholics. The Orangemen of that day were undoubtedly loyal men; but it appeared to him, that whilst they were busy in putting down rebellion with one hand, they were no less busy in exciting it with the other. He had, therefore, upon some individuals appearing with Orange symbols in his corps, employed every means in his power, and with success, to prevent their appearing a second time in the same costume. He entertained hopes, that, if the measures for which the Irish government had called, were granted, the evil complained of would be exterminated. He knew of no measure that would be more effectual in putting it down than the Orange associations being deserted by those who were now at the head of them. He would concur in every thing that might be said in praise of the honourable feelings by which the members of those societies were actuated. But he preferred the policy of giving them the opportunity of quitting those societies of their own accord, to the policy of putting down the societies themselves by measures of force and harshness.

Mr. *Goulburn* insisted, that the services of the Irish yeomanry corps had been productive of the greatest benefits. Was it right, then, to disband them in the summary manner that was now proposed?

General *Hart* bore testimony to the good conduct of the yeomanry corps, and denied that the Catholics were excluded from them.

Mr. *Abercromby* contended, that the amendment did not go the length of disbanding the yeomanry corps of Ireland, but merely went to limit the supply for them to six months. His hon. friend had done so, because he wished to see the effect of the bills of which the right hon. gentleman opposite had given notice. Had it been his intention to disband these corps entirely, his hon. friend would have moved a negative on the resolution before the House.

Mr. Secretary *Peel* objected to the amendment, both on the ground of conciliation and of economy, and regretted that it had been brought forward. The hon. gentleman had been grossly imposed upon. The person who had informed the hon. gentleman, could only have had mischief in view. If the motion were not withdrawn, he trusted it would be rejected by a signal majority.

Mr. *Bennet* supported the amendment, as tending to promote union in Ireland, and break down that system of exclusion which was in existence.

Mr. Hume then withdrew his amendment.

Assessed Taxes Reduction Bill.]—On the order of the day for going into a Committee on this bill,

Mr. *Curwen* complained of the tax on houses rated under 5*l.* as a most unjust, impolitic, and oppressive tax; and moved, "That it be an Instruction to the Committee, that they have power to provide for taking off the duty on windows of houses rated at 5*l.*, and also the house-tax charged on the same."

The *Chancellor of the Exchequer* thought, that the case stated by the hon. member was greatly exaggerated. It was true, that all houses rated at 5*l.* a year rent, were subject to the tax; but, in the first place, all persons who received parish relief were exempted; and, in the second, all who could obtain a certificate, that they were unable to pay the tax. So extensive were the exemptions, that out of 1,100,000 houses liable to the tax, between 7 and 800,000 were exempted. The tax could not fall with very great severity. He could not see that the tax pressed with so much severity, as to induce him to agree to the instruction.

Mr. *Bright* thought it very advisable to take off the house and window tax from the poorer classes. It was a tax very grievous in its operation on those classes, and felt most in the close and unhealthy quarters of great towns. The tax on windows being repealed, more windows would be opened, and there would be an increase in the duties on glass. He was not satisfied with the mode of repealing taxes now adopted. The tax on carriages took effect in the very last stage of the manufacture, and was only paid once. There were many articles which were taxed in every stage of their progress to the consumer, after a considerable burden laid on the raw material. Leather, a fundamental instrument of manufacture, was peculiarly liable to this objection. Candles were an unfit object for taxation, and but for which, would be an article of domestic manufacture in almost every poor man's house. Besides this, it gave employment to the worst machinery of the excise system.

The House divided: For the Instruction, 34; Against it, 87. The House having gone into the committee,

Mr. *Wetherell* said, he had a representation to make on behalf of the learned body whom he had the honour to represent. Some of the members of the colleges kept horses, and, whereas one groom was frequently enough for ten horses, by a sort of financial arithmetic, this solitary groom was multiplied into as many grooms as there were horses. It would be no very rational method of computation, to say, that because one cook or one butler could serve a hundred guests, therefore each guest ought to pay for one cook and one butler. This tax did not, in point of fact, fall upon the graduates, because those persons kept their horses without the college. It was not so much for its amount, as for the principle which it involved, that he wished to see it repealed.

The *Chancellor of the Exchequer* did not think there was the slightest foundation for the application. His hon. and learned friend had made some facetious allusion to the college cook and butler. Every one knew that there were such officers; but he had never yet heard of a college groom. If there were ten horses, and only one groom, it was clear, that the horses must be very ill groomed; but that was no reason why each of the persons who employed a groom, should not pay the tax, as well as those whose horses were more efficiently attended to.

Mr. *Curwen* hoped the chancellor of the exchequer would consent to place English cottagers on the same footing as Scotch cottagers; that was, to exempt those who had three children from the operation of the tax.

The *Chancellor of the Exchequer* had no objection to accede to the wish of the hon. member, but feared the measure would not be productive of much benefit.

The House then resumed.

HOUSE OF COMMONS.

Tuesday, March 11.

NATIONAL DEBT REDUCTION BILL.]—On the order of the day for going into a committee on this bill,

Mr. *Grenfell* said, he wished to call the attention of the House to the subject of the sinking fund. In the first place, he would address his observations to that part of the subject which had been justly designated as the sham sinking fund. He hoped that the system which was abolished in 1819 would never be renewed; but he was afraid, that the indirect favour which the hon. member for Taunton had shown it, might tend to its revival. He would describe the operation of the sham sinking fund. It would be recollected that, in the original act of 1786, Mr. Fox had introduced a clause, the object of which was, to allow the commissioners for the reduction of the national debt to apply the whole or part of the sinking fund money to the subscription for any loans. This he considered a most wise and provident clause; but, unfortunately, from the year 1793 to 1819, ministers had not acted upon that clause, but instead of that, had induced the House to believe, that it would be for the advantage of the country to borrow annually millions, and in exchange for the money obtained from the loan contractors, they gave an article called three per cents, and then sent commissioners and brokers into the market, who invested that identical money so received in the purchase of 3 per cent stock. Such was the advantageous plan on which ministers had acted! He had addressed the House in 1814 on the subject, with the view of inducing the chancellor of the exchequer to change his plan, and in 1819, the system was abolished. If this sham system were innoxious, he would not quarrel with it; but it was capable of demonstration, that it had cost the country, during the four last loans of the late war, a sum equal to a perpetual annuity of 268,000*l.* On one loan alone it had cost 3,600,000*l.* of 3 per cents. Nothing could more strongly illustrate this mode of doing business than the effect of its abandonment in 1819. On the 4th of June in that year, it was intimated, that a loan of 24,000,000*l.* would be wanted; but when the contractors were, to their sorrow, informed by the chancellor of the exchequer that he only wanted 12,000,000*l.*, and that the government had at last determined to act upon Mr. Fox's clause, the price of the 3 per cents, which the moment before was 65, rose in two days to 70 and 71, and the contract for the 12,000,000*l.* loan was effected at an advantage of at least 3,000,000*l.* to the public. Had the minister acted upon Mr. Fox's clause from 1793 downwards, the country would have saved 50,000,000*l.* of money. He would now say a few words of the real sinking fund, consisting of a surplus of income over expenditure. For the maintenance of this sinking fund, he was a steady advocate. It had been said, on a former night, as an objection to the existence of a sinking fund, that a rapacious minister might at any time sweep it away. He was not convinced that such could be done; for he thought no minister, however rapacious, could do so without the sanction of parliament and of the country. But suppose it was taken, it could only be applied to some purpose which was deemed advantageous to the country. And was not that in itself a sufficient reason for supporting a sinking fund? In 1813, he had supported Mr. Vansittart's plan, which was the greatest invasion that had ever been made upon the sinking fund. The country was then exhausted by taxation, and required breathing time; and, by the plan of 1813, it received it for three or four years. Was not that another proof of the value of a real sinking fund? Many plans had been devised to pay off, by one great effort, the national debt, and the crotchet of his hon. friend (Mr. Ricardo) for accomplishing that great object by a general contribution from all the property of the country, was the wildest of them all. How was it possible to arrange such a plan with equity and impartiality? How was the contribution from each species of property, lands, houses, goods, &c. to be arranged? But, that was not the whole difficulty. After the amount of each was ascertained, how would it be practicable to get each man's share, so as to liquidate in the mass the trifling sum of 800 millions? The hon. member then bore testimony to the merits of his hon. friend's (Mr. Hume's) finance resolutions, which, he said, contained more valuable information than any other paper he had seen upon the same object; although he differed from some of his hon. friend's inferences. His hon. friend had stated, truly, that the debt at the present time had greatly exceeded its amount, when the sinking fund was established in 1793; and from thence he inferred, that the sinking fund system was founded in fallacy and maintained by delusion. He denied this deduction: he denied that the increase of the debt was a proof that the principle of the sinking fund was founded in fallacy, and maintained by delusion. He trusted it would go on increasing, until the purposes of the bill should be effected.

Mr. *John Smith* thought it would be readily admitted, that, in the course of the long war in which we had been engaged, great difficulties had been sometimes experienced by the government in raising money upon the public securities. Now, whenever loans were to be borrowed, the greater the facilities of borrowing, the better were the terms. So far, although the sinking fund might have failed to be effectual in the discharge of debt, it would be granted that it had been very efficient. He was convinced, that, without the services of the sinking fund, this country could not have gone on for two years longer in its system of raising money. He would give the bill his warmest approbation.

Sir *H. Parnell*, while he admitted the accuracy of the statements of the hon. member for Portarlington (Mr. Ricardo), on former discussions respecting the old sinking fund, could not agree with him in his conclusion, that there ought not to be any new sinking fund. The objections which he had to this measure might be removed by placing it on a better principle. The danger of a new sinking fund being misapplied by ministers, as the last one had been, might be obviated by giving it effect through the medium of long annuities, determinable in a fixed number of years. If one per cent was given to the holders of perpetual annuities for transferring their annuities for ever into annuities for years, each million of sinking fund per annum would extinguish 100 millions of debt. If the 3 per cents were at 80, one per cent applied in this way would pay 100*l.* in about 45 years, or one million would pay off one hundred millions. The rate per cent might be more or less than 1 per cent to be so applied, and the term of years longer or shorter than 45 years, according as the demand for terminable annuities might exist. The advantage of this plan would be, that when once the sum forming the sinking fund was invested in a long annuity, it would be out of the reach of ministers, and there would be a certainty of the extinction of debt in proportion to the amount of the sinking fund appropriated towards its extinction. In respect to the general policy of having a sinking fund, that had been properly made to depend, by the right hon. member for Knaresborough (Mr. Tierney) on the question, whether or not the country was in a situation to bear that amount of taxation which was wanting to form a sinking fund; in his (sir H. P.'s) opinion, it was able to bear it. Every one allowed the prosperous condition of commerce and manufactures; and now there was reason to feel tolerably confident, that the agricultural interest would soon be relieved from the pressure of distress. If, therefore, the country could ever be said to be in a state to make an effort to reduce the debt, this was a good time to do so. But when he said so, he gave that opinion with certain qualifications. He thought the surplus of income over expenditure which was required of 5 millions, should be obtained, first, by reducing the expenditure; and secondly, by a revision of all the taxes. He was quite certain that the expenditure might be greatly reduced: though ministers had done a great deal in the way of retrenchment in the last two years, if every public establishment was examined into with an honest and sincere determination to save every item of unnecessary expense, it would be found, that a great deal might be done by consolidating departments, simplifying the modes of conducting business, increasing the hours of attendance, and reducing salaries and allowances. In respect to the taxes, they had, for the most part, been imposed for the exigency of the moment, in haste; and if they were revised on proper principles of finance, all the revenue that was wanting might be obtained with much less injury and inconvenience to the public, than was the result of the existing system. Some of the present taxes did great injury by falling directly on capital, others by diminishing profits, and obstructing the accumulation of capital; but perhaps those which were most injurious, were the taxes for giving protection to partial interests, by which immense sums were drawn from the public by high prices, without any advantage to the exchequer. The hon. member concluded by saying, that he hoped the measure of providing for the half pay and pensions of the army and navy, by raising money by annuities, would be abandoned; for no greater inconsistency could exist than at one and the same time establishing a sinking fund to relieve posterity; and creating new debt on the principle, that posterity ought not to be relieved.

Mr. *Ricardo* highly approved of his hon. friend's plan, which, by taking the sinking fund out of the hands of ministers, would do away his great objection to it; namely, its liability to be perverted from the purpose for which it was originally intended. His hon. friend's proposition of converting what were at present permanent into determinable annuities, appeared to him to be deserving the serious attention of the House; and he must say, that he did not think his hon. friend did justice to his own plan, in stating, that it would liquidate the existing debt in 45 years; for the calculation on which he had proceeded was made when the 3 per cents were only at 80. The House might easily conceive how beneficially public credit would be affected, if a real sinking fund were thus continually operating over the whole extent of the debt. From the adoption of such a plan, ministers, in the event of any occurrence requiring an increased expenditure, would not, as heretofore, be enabled to despoil a fund, which ought to be sacredly appropriated to another purpose; but must come down to parliament, and otherwise provide for the public exigencies. While he was on his legs, he would say a few words on what an hon. friend had been pleased to call his "crotchet" for reducing the national debt by a general contribution of capital. His (Mr. R.'s) proposition would merely carry further the principle of the income tax. His hon. friend was quite deceived, if he supposed that he ever contemplated the possibility of effecting the object he had described at once. On the contrary, the operation might be extended by numerous instalments over a period of two, three, six, or twelve months. And when the immense benefits which would result from its adoption were considered, he could not think it so Utopian a scheme as his hon. friend seemed to imagine it to be.

Mr. *Monck* thought the best way would be, to abolish the sinking fund, and apply the surplus revenue to the remission of taxes.

Mr. *J. Martin* said, it would not be in the power of ministers to lay their hands upon any sinking fund which might be established, without the concurrence of parliament.

Mr. *Hume* said, they had had ample experience of the readiness with which the House assented to any proposal of ministers to interfere with the sinking fund. They had already voted away 324,000,000*l.* of the sinking fund. He protested altogether against the establishment of a sinking fund, unless an entire alteration took place in the system upon which it was to be managed.

The House having resolved itself into a committee, Mr. Hume moved, that, instead of fixing the sinking fund at five millions, it should consist of any surplus of revenue beyond expenditure, not exceeding five millions. Upon this, the committee divided: Ayes, 7; Noes, 55. The other clauses of the bill were agreed to.

HOUSE OF COMMONS,

Thursday, March 13.

Agricultural Distress.] Mr. Curteis, on presenting a petition from Hadleigh, respecting the Agricultural Distress, expressed a wish, that an hon. baronet who had given notice of a motion for the 20th instant, on the subject, would postpone it, as many members who were favourable to the motion would be absent from town.

Sir *T. Lethbridge* said, the resolutions which he meant to move were of such great importance to the empire generally, that he should be sorry if a single day were lost in bringing before the House and the country the exact state of the landed interest. Having received the most decided assurance from ministers, that it was not their intention to originate any measures, having for their object the relief of so large a class of society, he could not, consistently with his ideas of duty, consent to put off his motion, even for one day beyond the time already specified. He was determined to persevere.

Ordered to lie on the table.

Insolvent Debtors' Bill.]—Several petitions were presented for the repeal of the Insolvent Debtors' act.

Mr. *S. Wortley* said, that as the act of last year had produced no good effect, he was entitled to ask, whether government had any intention to bring in another measure?

Sir *E. Knatchbull* said, that complaints against the existing law were heard in every part of the country.

The *Solicitor-General* said, he could not think of abandoning the principle of the measure; but he would listen with attention to any suggestion that might be thrown out. There was one point in which it was, perhaps, possible to make an improvement: he alluded to the case of persons who caused themselves to be collusively arrested, in order to take the benefit of the act. Perhaps it would be proper to introduce a clause into the bill, to prevent such persons from taking the benefit of the act. He did not, however, think that any great good could result from such an alteration. The individual who contrived to get deeply in debt, if not arrested by a friend, was certain of being arrested by a real creditor. Let it not be supposed, because frauds were committed under this act, that those whose business it was to watch over measures of that nature, had neglected their duty.

Mr. *Bright* was very sorry to hear that the learned gentleman despaired of making any great improvement in the measure. What he and others complained of was, that no return of assets had yet been made. It appeared that the expenses of the court swallowed up all the debtor's property. If the act could not be amended, it was better that there should be no permanent law on the subject; for, as it now stood, the fraudulent had a manifest advantage over the honest debtor.

Sir *M. W. Ridley* said, he should be extremely sorry to abandon the principle on which the law stood; but there were many provisions, by the introduction of which the situation of the creditor might be greatly ameliorated. The fraudulent debtor had, at present, too many facilities for the disposal of his property.

Mr. *Grey Bennet* complained, that, with respect to all questions which affected the morals, the honour, and the character of the people, ministers remained perfectly inactive. When an alteration was called for in the Insolvent Debtors' act, or when the subject of the game laws, which were a disgrace to civilized society, was to be considered, ministers took no part in the discussion, but left it to others to devise measures on subjects so nearly connected with the well-being and happiness of the people. The Insolvent Debtors' act, as it now stood, was nothing short of a legalized system of fraud.

Mr. Secretary *Peel* said, that the general charges which the hon. member had made against government he would meet with as general a denial. If the hon. member inquired how ministers were occupied from morning till night, he would not have hazarded his charge of apathy and supineness. The attorney-general had last session introduced a bill for the amendment of the Insolvent Debtors' act; and surely that learned gentleman should not be called on to sacrifice a principle of which he approved, for the purpose of adopting any view which the hon. member might entertain. The solicitor-general had just stated, that he would listen to any suggestion that might be thrown out. Was it possible for any man to go farther? As to the game laws, the hon. member for Yorkshire had expressed a wish that an inquiry into those laws should take place. And what answer had he received? that to such an inquiry he (Mr. Peel) would not only not object, but would lend his best assistance.

Game Laws.]—Lord *Cranborne* rose to bring forward his motion for the appointment of a select committee to take into consideration the game laws. As the object of it was solely to acquire information respecting the operation of those laws, he trusted it would encounter no opposition. His own opinion of their tendency to deteriorate the morals and deprave the habits of the lower classes, had been unhappily strengthened by the number of committals for violations of their provisions during the past year. They had amounted to 1,467, of which 372 had taken place in the last month of the year. He would move, "That a Select Committee be appointed to take into consideration the Laws relating to Game, and report their Observations thereupon to the House."

Sir *J. Sebright* implored the House to take the subject into their most serious consideration. He conjured them to do so, not upon any speculative opinion of his own, but upon his actual knowledge, as a magistrate of long experience, of the baneful effect of the game laws. Their operation was far more detrimental than members were generally aware of, and had seriously altered the character of the lower classes. The gaols were filled with persons charged with violating those laws; and amongst the prisoners, he had often occasion to observe young men, who, at the time of their committal, were utterly incapable of robbery — who would not steal even a farmer's goose or his turkey, but were nevertheless sent to gaol for a violation of the game laws; and who, after their imprisonment, were turned upon society, capable of committing any act of violence. He entreated gentlemen, therefore, to consider this motion not as a game question, but as one which affected the moral character of a vast body of the population.

Sir *J. Shelley* was of opinion, that the demoralization of the lower agricultural classes was not so much owing to the game laws, as to the distress which prevailed among them, and the difficulty of their procuring adequate subsistence.

Mr. *Curwen* thought, that to the existence of these odious laws a vast proportion of the offences which came before the judges at the assizes was to be attributed. Perhaps the only mode of altogether doing away with poaching, would be to suffer game to come legally into the market. This, he thought, might be permitted, without too much encroaching on the pleasures of gentlemen who resided in the country. The effect of the game laws was to cast an odium on every gentleman who endeavoured to protect the game on his estate.

Mr. *Gipps* was anxious to have a return of the number of convictions under the game laws for some years past. By such a return, it would be seen whether the amount was connected with the pressure of agricultural distress. He was persuaded that latterly these convictions had decreased.

Mr. Secretary *Peel* did not think that the committals under the game laws had been at all increased by the distress of agriculture. He agreed, however, that it was desirable to have correct accounts of the number of committals in each year; but even should it appear that the number had materially diminished, that would not, in his opinion, be an argument against the appointment of a committee. He by no means pledged himself to the support of any particular course in the committee. He was quite aware that the question was full of mixed and important considerations. That there should be a law for the preservation of game he willingly admitted; but that law ought to be subservient to a still more important object, the preservation of internal tranquillity. He had great doubts if legalizing the sale of game would have the effect of diminishing the number of poachers; but on that, as well as on all the other points connected with the subject, it would be for the committee to inquire and deliberate. Perhaps it might be found advisable to consolidate the game laws, with a view to rendering them more simple and intelligible.

Mr. *N. Colburne* was persuaded, that the peace and happiness of the lower classes were materially affected by the game laws. At the same time, he thought that legalising the sale of game would have a tendency to increase, rather than to diminish the evil.

Colonel *Wood* was glad to see a more liberal feeling pervade the House, than when the same subject was last before them. He thought the thanks of the country were due to his noble friend for calling their attention to this important subject.

The motion was agreed to.

NATIONAL DEBT REDUCTION BILL.]—The report of this bill was brought up. On the question, that the Amendments be read a second time,

Mr. *Tierney* rose, not to oppose the motion, but in consequence of his wish distinctly to understand what it was that the House were now called upon to pass. He wished to know what was the exact bearing of the present bill. It professed to be framed on the resolution of the House, of the 8th June, 1819, that for the better maintenance of the public credit, by the progressive reduction of the national debt, it was necessary that there should be a clear surplus of the income of the country, beyond the expenditure of 5,000,000*l*. But, let the House consider what might be the result of the course now adopted. By that course, in the event of any accidental failure in the revenue, the only resource would be, to impose new taxes to make good the deficiency. No resort could be had to borrowing. There could be no creation of any unfunded debt for the purpose; because the proposition which the resolution contained was, that the income must exceed the expenditure to the amount of 5 millions. There could not be the slightest doubt, that such was the unequivocal meaning of the proposition; for, when the resolution was agreed to in 1819, there being then only a surplus of income over revenue of two millions, taxes to the amount of three millions were immediately imposed for the purpose of carrying the resolution into effect. He could not see the possibility of getting rid of the fact, that the resolution of 1819 distinctly declared, that the sinking fund must arise from the surplus of the revenue, after defraying the whole of the national expenditure, and not from borrowing or from any other source. He was sure that many gentlemen were not aware of the length to which they were going. The bill under consideration did not merely provide, if the surplus should extend to five millions, that it should in that case be applied to the reduction of the national debt; but it created a permanent annual charge to the amount of five millions on the consolidated fund. There were two questions on which it was desirable to obtain explicit information. The first was, whether the present surplus of income beyond the expenditure was five millions, or only three? The second was, if the present surplus was actually five millions, how any deficiency that might arise from an accidental diminution of the revenue should be made good? With regard to the first question, he really was at a loss precisely to comprehend whether the surplus applicable to the sinking fund was five millions, or only three. With his present impressions, anxious as he was to maintain the sinking fund, and also, if possible, to take off further taxes from the people, when the bill was passed, he should consider his hands tied up with respect to the latter object. He was very sorry that his noble friend who had given notice of a motion for the repeal of the leather tax, was not in his place. It was evident, that neither that nor any other remission of taxation could take place after the passing of this bill, without exposing the country to a relapse into all the evils attendant on a nominal sinking fund. The way in which he understood the chancellor of the exchequer's plan was, that the sum saved by the extension of what was called the dead weight, over a long course of years, namely, two millions, was to be added to three millions surplus of revenue beyond expenditure. Now, how those two millions could be called income, he was at a loss to conceive. It was a sum borrowed every year. For what was the difference in principle between borrowing money on the grant of a permanent annuity, and borrowing money on the grant of an annuity for 45 years? Those two millions could in no way be said to assume the shape of income. It was extremely important that this matter should be thoroughly understood; because, if he was right in his position, the moment the present bill was passed, the Assessed Taxes Repeal bill ought to be stopped, in order that the surplus income should be made up to the five millions, which the resolution of the House had declared to be absolutely necessary. The main question was, whether, supposing there was at present a real surplus of five millions, and supposing that any deficiency of the revenue should diminish it, parliament was or was not bound to extend the revenue by fresh taxes, in pursuance of the resolution of June, 1819.

The *Chancellor of the Exchequer* said, he would state, as distinctly as he could, how it was that he considered himself entitled to assume, that there was an actual surplus of five millions, applicable to the reduction of the debt. He took it, that after the repeal of the 2,200,000*l.* of taxes, the income derived from the taxes might be estimated at 50,000,000*l.* exclusive of the sum derived from the arrangement respecting the half pay, &c. The annual expenditure (still supposing no reference to the arrangement of last year respecting the half pay), including the charges arising from the funded debt, the civil list, the army, and navy, &c. was 47,000,000*l.* In that view of the subject, there was only a surplus of 3,000,000*l.* But he thought he was entitled to assume that, supposing the plan respecting the half pay and pensions should succeed; supposing the annuities should all be sold (which was a likely supposition), that surplus would be increased to 5,000,000*l.* He apprehended nobody would deny, that if it were practicable to enter into an agreement with the actual individuals holding the half pay and pensions, that instead of their present annuities for an indefinite period, they should receive 2,800,000*l.* for 45 years, the case would stand thus:—In the 47,000,000*l.* of expenditure was comprehended 4,800,000*l.* being the amount of the half pay and pensions. If, then, the parties holding that half pay and those pensions were disposed to give them up, on the conditions which he had mentioned, it was clear that 4,800,000*l.* must be deducted from the 47,000,000*l.*, and that 2,800,000*l.* must be added to it; thus diminishing the expenditure to 45,000,000*l.* Now, if that sum of 45,000,000*l.* of expenditure were deducted from the 50,000,000*l.* which would be the income of the country, after the proposed repeal of taxes for the present year, it was manifest that there would be a surplus of 5,000,000*l.* What was the substantial difference between such an arrangement as he had described, and the arrangement by which other parties agreed to pay the 4,800,000*l.* on condition of receiving for 45 years an annual sum of 2,800,000*l.*? Now, if that sum of 2,800,000*l.* were added to the expenditure of 47,000,000*l.*, it increased it to 49,800,000*l.* But then he was entitled to add the 4,800,000*l.* received from the contracting parties to the income of 50,000,000*l.*, which increased it to 54,800,000*l.* Let 49,800,000*l.* be deducted from 54,800,000*l.*, and there would remain a surplus of 5,000,000*l.* That appeared to him a real *bonâ fide* surplus, applicable to the reduction of the debt. It was that surplus which, by the bill, it was proposed so to apply. In so doing there was no increase whatever made of the unfunded debt. Nor was there any mystery—any of what was familiarly called hocus pocus. The right hon. gentleman next wished to know how he (the chancellor of the exchequer) proposed to act, through all the vicissitudes which the income of the country might in future years experience, and seemed to think that government could not proceed upon the principle of having a sum of 5,000,000*l.* for their surplus, unless they were prepared to state, that in every year, when some fluctuations of the revenue might have the effect of bringing the actual income somewhat below such an amount as would yield a surplus of 5,000,000*l.*, they would put on fresh taxes, to raise that surplus up to 5,000,000*l.* Now, in the first place, he did not think this was a very probable anticipation; and in the next, he did not imagine that it would be possible even to regulate the amount of that fund upon such minute principles, as to be prepared for every possible contingency. He did not see why, if the revenue should fall so short, they should not make the surplus up by means of exchequer bills, or some other temporary expedient. He could not conceive why they should not be permitted to appropriate a portion of the revenue to the reduction of their debt, merely because it might happen, in some future year, that they might not have revenue sufficient to reserve the precise amount of such a portion. On mere financial grounds he would rather have a larger surplus fund, than what he considered necessary to apply to the reduction of the national debt. A larger surplus he might have had; but 2,000,000*l.* and upwards he had proposed to remit in taxes. He was not at all unwilling to state, that the principle upon which he recommended that remission was this—that he thought it better to give the country the benefit of such a reduction of taxes, than to retain, upon mere financial grounds, a surplus beyond the 5,000,000*l.* in question. In fact, he believed that the consequence of that remission would by no means be so injurious to the revenue as might be supposed; but, on the contrary, that the very reduction itself would benefit the revenue. In that event, without any pressure on the people, there would be a surplus beyond that appropriated by the present bill to the sinking fund, with which parliament would have to deal at its own discretion, either by a further remission of taxation, or by a further liquidation of the debt.

Mr. *Hume* said, that the resolution of June, 1819, which declared, "that it was absolutely necessary there should be a clear surplus of the income of the country beyond the expenditure of not less than 5,000,000*l.*," was immediately followed by another resolution, "that with a view to the attainment of that most important object, it was expedient to increase the income of the country by the imposition of taxes, to the amount of 3,000,000*l.* per annum. It was not proposed to make up the 5,000,000*l.* by incurring debt, which was the proposition of the right hon. gentleman; for what other character could be given to the plan of selling annuities for 45 years? The provisions of the bill were evidently in direct contradiction to the principle of the preamble. Instead of a clear surplus of income derived from taxation, which was the intention of the resolution of 1819, the right hon. gentleman made up his surplus, partly from taxation, and partly by incurring debt; which, according to the resolution of 1819, he was not at liberty to do. If the principle were admitted, of saving 2,000,000*l.* at present by spreading a debt over 45 years, why not extend it to 80 years? In that case, the right hon. gentleman, instead of remitting 2,000,000*l.* of taxes, might remit the whole 5,000,000*l.* If the surplus of income were to fall short by 500,000*l.*, the right hon. gentleman must increase the unfunded debt. And yet the right hon. gentleman allowed, that any sinking fund, but one resulting from a clear surplus of income beyond expenditure, was a mockery and delusion. He would move by way of amendment, before the words "five millions," to insert the words "real surplus of revenue not exceeding," and after the words "five millions," to add, "such real surplus to be estimated by the Lords of the Treasury, and to be increased or diminished as the real surplus shall increase or diminish in each year."

Colonel *Davies* thought that the plan was peculiarly ill-advised at the present moment, when the continent was about to be convulsed by a war, in which, he believed, we could not avoid taking a part. He suggested, that a considerable reduction of the amount of debt might be effected, by converting the 3, the 3½, and the 4 per cent stocks into a 5 per cent stock, not redeemable for a certain number of years.

Sir *H. Parnell* wished to have a clause inserted in the bill, to enable the commissioners of the sinking fund to grant annuities for years, to such persons as might propose to transfer into a stock of this description, 3 per cent or other stocks now vested in annuities for ever. He recommended this mode of applying a sinking fund as preferable to the plan provided by the bill; because it would place it out of the reach of the government, and thus secure its being applied to the intended purpose of redeeming the national debt; for if the sinking fund were thus arranged, it would be absorbed in the annuity, and would not be available for any other object. The following was the way in which it would operate in redeeming debt. Supposing 3 per cent stock to be at 75*l.* per annum on 100*l.* on this stock (or on 75*l.* in money), given to the holder of 100*l.* of this stock in addition to the regular interest of 3 per cent for 35½ years, making together an annuity of 4*l.* per annum, for this period, would be precisely that terminable annuity, which would be equivalent to 100*l.* 3 per cent stock of perpetual annuity. If in place of 1*l.* per annum, one million per annum was applied on 100 millions of stock for 35½ years, it would extinguish these 100 millions; and if in place of a term of 35½ years a greater number of years were given, the quantity of debt redeemed would be in that proportion greater. The principle of accumulation with which a sinking fund applied in long annuities would operate, was exactly the same as that which was the basis of Mr. Pitt's sinking fund; and the only difference between his plan and the plan now recommended was, that the fund applicable to redeem debt by his plan was collected together in each year, and applied in purchases of stock by the commissioners; whereas, by this plan, it would be vested at once, and be payable to the public creditor, just as the dividends were now paid. The whole object of Mr. Pitt's plan had been frustrated, by converting the sinking fund to the current expenses of the year. By the plan of long annuities, as now recommended, no distinct fund would exist that ministers could make use of. These two plans were the only ones by which the benefit of accumulation by compound interest could be made available in extinguishing the national debt; and as we now had a complete proof of the total unfitness of one of them, it was a proper time to make a trial of the other. But, in thus stating what would be the result of applying a sinking fund in annuities for years, it was not meant to be asserted, that that result which would be the result from a strict calculation of figures, would be the practical result of this plan. This would be influenced by the demand in the market for annuities for years; unless the transfer was made compulsory, in order to secure a certain extinction of the whole debt. By the proposed plan of proceeding, this further advantage would be secured, that a sinking fund of smaller annual amount than that now provided, would be sufficient to redeem the debt. For, if 2,300,000*l.* were applied in long annuities for 41 years; 1,300,000*l.* for the succeeding 15 years, and 300,000*l.* for the following 39 years; 100 millions of debt would be redeemed in 41 years; 200 millions more in 56 years, and 300 millions more in 95 years, making together 600 millions of the principal of the debt. This calculation was founded on the following data, 1st, that 1 million per annum, would increase at compound interest to 100 millions in 41 years; 2nd, that 1 million per annum would increase to 200 millions in 56 years; 3rd, that 300,000*l.* per annum, would increase to 300 millions in 95 years, supposing the interest of money to be 4 per cent when the annuities were created.

Mr. *Maberly* could not see how the right hon. gentleman could object to the amendment; for it was clear, that if they supported a sinking fund greater than the actual surplus of revenue, it could only be done by increasing the unfunded debt.

Sir *F. Blake* considered the sinking fund, as far as regarded the extinction of the national debt, a mere fallacy. Its operation might be compared to the taking of a bucket of water from a great reservoir which was abundantly supplied from the fountain-head. The country had gone on paying off, as it was called, the national debt for a number of years, and what had been the result? The debt had been augmented to four times its original amount. The new chancellor of the exchequer had come down to the House to make them a present of a new sinking fund; but the new sinking fund was grafted on the parent stock, and possessed all the faults of its original. The new chancellor of the exchequer had boasted of the benefits that would result from his scheme; but, "timeo Danaos, et dona ferentes." The right hon. gentleman said, that he had a sinking fund of 5,000,000*l.*; but the fact was, that he had only 3,000,000*l.* certain; the remaining 2,000,000*l.* depended upon contingencies. What would be thought of a married man who, because he had got three children, said he would have two more at all events? Would it not be said that he was reckoning his chickens before they were hatched? So it was with the chancellor of the exchequer; he was reckoning upon his money before he had got it.

On the question, "That the said words be inserted," the House divided: Ayes, 38; Noes, 82.

List of the Minority.

Abercromby, hon. J.
Althorp, visc.
Barratt, S. M.
Bernal, R.
Blake, sir F.
Boughey, sir J.
Browne, Dom.
Burdett, sir F.

Cradock, S.
Curwen, J. C.
Davies, T.
Foley, J. H. H.
Griffith, J. W.
Haldimand, W.
Heathcote, J. G.
Hughes, W. L.
James, W.
Jervoise, G. P.
Lethbridge, sir T.
Leycester, R.
Lushington, S.
Maberly, John
Maberly, W. L.
Monck, J. B.
Moore, P.
Newport, sir J.
Normanby, visc.
Pelham, J. C.
Price, R.
Poyntz, W. S.
Ricardo, D.
Robinson, sir G.
Rumbold, sir E.
Shelley, sir J.
Tierney, right hon. G.
Wharton, J.
Wood, alderman
Wyvill, M.

TELLERS.

Hume, J.
Ellice, E.

MERCHANT VESSELS APPRENTICESHIP BILL.]—The House having resolved itself into a Committee on the act of the 37th Geo. 3, c. 73, for regulating the number of apprentices to be taken on board British Merchant Vessels,

Mr. *Huskisson* observed, that great inconveniencies had arisen in the merchant service, from the existing regulations respecting apprentices. In some vessels, particularly those in the West India trade, a certain number of apprentices were required to be taken; while in the vessels in other trades no such obligation existed. Now, this might be an advantage or a disadvantage, according to circumstance. In peace, it would be a disadvantage to be obliged to have a certain number of apprentices, when for nearly the same expense the same number of able seamen might be had. In war, it would be an advantage, when able seamen were difficult to be got. One object of his bill would be to make the advantages equal in all merchant ships; and this he proposed to effect by a clause, that every merchant vessel in every trade should have an equal number of apprentices in proportion to her tonnage. He also proposed to give to apprentices greater protection against impressment. At present those of 17 years of age were liable to be impressed after three years service. He proposed that apprentices should not be liable to be impressed under the age of 21. Another subject which called for the interference of the House was, the desertion of apprentices from merchant ships. It was a common practice to give to seamen on outward bound voyages, two or three months wages' in advance, with the understanding that they were engaged to the ship out and home. In cases of desertion at foreign ports (which were not unfrequent in consequence of the temptation held out of higher wages), the seaman forfeited whatever wages were due to him; but this was very trifling, as the wages advanced were rarely covered by the voyage out. To remedy the evil, he proposed to give the owners of the ship from which the man deserted, a power over the wages accruing to him from his services in any other by which he might return. The right hon. gentleman moved for leave to bring in a bill "for regulating the Number of Apprentices to be taken on board British Merchant Vessels, and for preventing the Desertion of Seamen therefrom."

Mr. *Bernal* was glad to see the subject taken up by the right hon. gentleman. He would suggest to him the propriety of taking into consideration the whole state of our laws regarding merchant seamen, and of forming out of them one clear and consistent code. By so doing, he would confer an essential benefit on the shipping interest of the country.

Mr. *T. Wilson* said, that the protection which this bill would give to apprentices until they reached the age of 21, would create for the country a nursery of active and able seamen at the least possible expense.

Mr. *Hume* hoped the right hon. gentleman would not hurry the bill through the House, on account of its vast importance.

Mr. *Huskisson* said, that the measure had the support of the shipping interest.

Mr. *Ricardo* wished to know whether the sailors were friendly to the measure. He had no doubt that their employers were so; because they would be enabled to lower the rate of wages by increasing the number of apprentices. He thought the navy would not receive that benefit from it, which seemed to be anticipated. Our sailors would seek employment in the merchant service of other countries, if the rate of wages was unduly lowered in their own. Should that be the case, where would gentlemen find that nursery for the navy, of which they now talked so largely?

The motion was agreed to.

HOUSE OF COMMONS.

Friday, March 14.

MUTINY BILL.]—Lord Palmerston moved the order of the day for going into a committee on this bill. On the question, that Mr. Speaker do now leave the chair,

Colonel *Davies* said, that in rising to move an instruction to the committee to insert a clause in the bill to prevent, in future, the dismissal of officers of the army without trial by a court-martial, or the increasing the severity of any punishment awarded by the sentence of such court; he might, perhaps, in consideration of the difficulty of the subject, be pardoned, were he to intreat the indulgence of the House. But as he had voluntarily undertaken the task, as neither official duties nor imperative circumstances had forced it upon him, he was aware that he had no claim to any thing beyond a patient and a candid hearing. He should have, at the outset, to combat strongly formed opinions, not only on the part of those who might be considered his political opponents, but were among that number on whose support, upon ordinary occasions, he might confidently rely. In opposition to any arguments he could use, would be urged long established custom, an uninterrupted prescription of a century and a half; and he should be held up to reprobation as a daring innovator, whose councils, if followed, would make a breach in the just prerogatives of the crown, and tend to subvert the discipline of the army.

Notwithstanding these difficulties, so impressed was he with the expediency of effecting a change in one part of the military code, that he did not despair of carrying conviction to the minds of those who were most strongly prejudiced against him. He could assure those who trembled for the privileges of the crown, that he had no wish to invade any prerogative which conduced to the comfort or splendor of the monarch, nor was he one of those who would wish to shear royalty of those beams which ought to encircle the king of such a country as this. But if he could demonstrate, that the prerogative of dismissing officers of the army without trial by a court-martial, tended in no way to promote the splendor or security of the throne; that it was a question in which the sovereign had no personal interest whatever, while it had, in a thousand instances, been made the instrument of caprice and malice on the part of inferiors; if he could show, that it was illegal, that the authority on which it was said to rest did not justify its exercise; and further, that without, in any way, conducing to the discipline of the army, it was dangerous to the constitution, then he trusted that he should have made out a case which would entitle him to the support of the House.

He confessed, that, till lately, he partook of the common opinion, that the crown legally possessed, and ought to enjoy, a discretionary power over the commissions of officers of the army. It was not until, by an extraordinary stretch of that power, a gallant friend, of whom it was unnecessary for him to say what he felt, as his services were known and appreciated by every man in the country, and whose military achievements, interwoven with the history of Europe, would go down with that history to the latest posterity; it was not until he was immolated a victim at its shrine, that he was induced to examine its nature and extent. It was then that he discovered that the authority on which it was supposed to rest, was in direct contradiction to it, and that almost every writer on military law was opposed to it. Even those who might be supposed most anxious to uphold the prerogatives of the crown, found themselves so carried away by the strong current of all those opinions which from childhood are impressed upon us, that before we had advanced ten pages in their works, they were found laying down principles which, if adhered to in practice, would render all discussion on the subject wholly useless.

It was unnecessary for him to go into a long history of military law: the law, as it now stood, dated from the Revolution, and was to be found in the Mutiny act annually passed by parliament. The acts of the 13th and 14th of Charles 2nd, which were asserted by some to be declaratory of the powers of the crown, were virtually repealed by the first Mutiny act, passed in the reign of William 3rd.: besides, when the complexion of the times, at the restoration, was considered, when it was recollected that the tide of public opinion set as strongly in favour of royalty as ever it had against it, and that the proposition for imposing the oath of non-resistance upon the whole nation was rejected in parliament by a majority of only three voices, no just rule for their future guidance was to be found in the acts of the legislature at that period. He, therefore, should assume, that to the Mutiny act they were to look as the foundation on which rested all the power over the army exercised by the sovereign. That the power of the crown was derived from the Mutiny act, and not from any antiquated prerogative, was evident, from the fact, that if parliament neglected to pass it, the army, and, of course, all power over it, would cease to exist. No one could have perused our military code, as contained in that act, without perceiving throughout the same anxious regard for the liberty of the subject, which formed the essence of our constitution; and although the necessity of preserving discipline rendered essential some deviation from the strict practice of the law, yet that the spirit of that law was invariably maintained. They would find in that statute a long catalogue of crimes, with various degrees of punishment annexed to them; such as mutiny, cowardice, desertion to the enemy, and a multitude of other offences of the deepest dye. If any thing would justify a summary mode of proceeding, it might be imagined, that such crimes as these, from their very nature, might require immediate punishment: mutiny, for instance, which, if not instantly suppressed, might spread through a whole corps, and defy authority. In dealing with such monstrous offences, some discretionary power might have been vested in the sovereign. Yet, so jealous was the legislature of arbitrary power, that abandoned miscreants, who had violated every obligation, human and divine, were still sheltered under the ægis of the law, and could not be punished, except upon conviction by a court-martial. The only persons from whom these rights were withheld, were the officers of the army; they, without trial, without the means of defence, without knowing who were their accusers, or what their crime, might be punished in a manner which, to a man of nice feelings, must be worse than death, which, in most cases, attaches a stigma to the character, and in many was attended with total ruin. They found themselves, after a long period of honourable service, deprived of the commission on which they had depended for subsistence, and which, in many cases, had been purchased, not merely by length of service, but by an actual pecuniary payment. The power, so contrary to every principle of law and justice, which exposed to such cruel hardships so large a portion of the community, was assumed on the authority of the 35th section of the Mutiny act, by which his majesty was empowered "to make articles of war." Now, he would affirm, that if this section stood alone, wholly detached from the context, it would be impossible to give it the construction attached to it by the assertors of the arbitrary prerogative. The king might frame articles for the better government of the forces; he might define what should be a military offence, and what the punishment for committing it; but the conviction of an accused party, could only be had through the medium of some tribunal by whom he should be tried. The power granted to the crown by the clause alluded to, might, as far as it went, be compared to that exercised by the whole legislature, viz. the power of framing and declaring laws; yet the legislature, in its collective capacity, did not take upon itself the judicial as well as the legislative functions, the transgressor of the law being handed over to the constituted tribunals. Such would obviously be the meaning attached to this clause by any man of common sense, if it were left unexplained by any thing else; but what would the House say, when he read to them the clause which almost immediately followed (the 37th), by which it was expressly enacted, "That for bringing offenders against such articles of war to justice, it shall be lawful for his majesty to erect and constitute courts-martial, as well as to grant his royal commission or warrant to authorize others with power to try any crimes or offences by such articles of war, and to inflict penalties by judgment of the same." So far, then, was the Mutiny bill from placing in the hands of the crown an arbitrary power, that it was evident, that such power was in direct violation, not only of its spirit, but of its letter. This view of the subject was not confined to him; he could support it by the highest authorities who had written on military law.

Blackstone, in those celebrated remarks on our military code, which must be familiar to every member of the House, observes, "This discretionary power of the court-martial is, indeed, to be guided by the directions of the crown, which, with regard to military offences, has almost an absolute legislative power. 'His majesty, says the act, may form articles of war, and constitute courts-martial, with power to try any crime by such articles, and inflict penalties by sentence or judgment of the same.' A vast and most important trust, an unlimited power to create crimes, and annex to them any punishments not extending to life or limb." Such were the remarks of that great lawyer, applied to the power against which he (col. D.) did not contend—the power exercised through the medium of a court-martial. How much stronger would have been his language, had he been called upon to comment on such doctrines as they had heard promulgated in that House. The observations of Tytler, a most respectable authority on military law, were still stronger. He is endeavouring to show, that military law was unjustly accused of being vague or arbitrary, and in confirmation of his argument, proceeds to make the following remarks: "The penalties, therefore, which it is competent for the sovereign to decree by his own authority, must, at the worst, be of a very slight and subordinate nature, and calculated merely for the enforcement of good discipline; since the greater crimes, and their appropriate punishments are defined and regulated by the Mutiny act, which, as already said, is the operation, not of the sovereign *per se*, but of the united branches of the legislature." "Besides this, when it is considered, that even those subordinate penalties which it is competent for the soveregn to enact by articles of war, or other regulations for the army, cannot be inflicted but through the medium of a court-martial, which has the essential characteristics of a jury, and is, in fact, a trial of the subject by his peers; we shall immediately be convinced, that this power of the crown, which has furnished much matter of intemperate declamation to writers tinctured with republican prejudices, can never be exercised under our excellent constitution, to the injury of the subject, or the abridgment of any of the valuable rights of that honourable class of men who compose the military force of the state." So far the authority of Tytler, and he (col. D.) would ask any one who heard that passage, if he could imagine, for a moment, that the writer ever contemplated the claim which was set up on the part of the crown by the supporters of the prerogative? The sentiments expressed by Blackstone and Tytler were analogous to the theory and practice of the constitution, as exercised in every instance, except in the case of this most analogous prerogative. So anxious was the legislature to adhere to the great principle, not only that the judicial should be separated from the legislative functions, but that the accuser shall in no instance be the judge; that in all cases of impeachment which are extra-judicial proceedings *pro re natâ*, intended to reach officers placed beyond the ordinary jurisdiction of the law; the Commons being the accusers could not be judges, and therefore the proceedings were held before the House of Peers. But in the cases where the sovereign dismissed officers without trial, he united in his own person the conflicting functions of legislator, accuser, and judge. This prerogative was more arbitrary than even that by which the proclamations of Henry 8th assumed the force of statutes, and which had justly been designated by Hume as a total subversion of the constitution. Even under that cruel tyrant, persons offending were not deprived of all trial; they could be punished only upon conviction before nine privy councillors, a tribunal strongly resembling a modern court-martial. But even arguing the question according to the view taken by gentlemen opposite, he would contend, that they had not a shadow of reasoning to support them. The prerogative was claimed in virtue of the clause in the Mutiny bill, which grants to his majesty the power of framing regulations; he presumed, therefore, that it would be necessary to show that, by those regulations, it was enacted, that the crown should, when it thought fit, cashier any officer of the army. But what was the fact? Not only might those regulations be searched in vain for such an assumption of power, but exactly the reverse was the law as laid down by them. The regulations, after enumerating a long list of minor offences, and the penalties to be attached to them, by the second article of the 24th section, expressly declared, "that all crimes not capital, and all disorders and neglects which officers and soldiers may be guilty of to the prejudice of good order and military discipline, though not specified in the said rules and articles, shall be punished." How! at the discretion of the crown? No. "But at the discretion of a general or regimental court-martial." After this solemn pledge given to the whole army, that no offence was to be punished without trial, was not every dismissal of an officer without trial, not only an act of cruelty and injustice, but a direct breach of faith? His interpretation of the law was thus, he flattered himself, borne out by the letter of the statute, and of the regulations, and fully confirmed by the great authorities he had quoted. If he referred to political writers, who, taking an extensive survey of the principles of government, had not dwelt particularly on military law, their general reasoning would, in every instance, be found to corroborate his views. It would be unnecessary to trespass on the time of the House with quotations from Locke, who had declared prerogative to be nothing but the power of doing public good without a rule; or from Bacon, Paley, De Lolme, Montesquieu, and a host of others, all of whom bore him out in asserting, that the power over the army reposed in the sovereign, was, like every other attribute of legitimate power, a trust for the public good, not, what no legitimate power ever could be, the instrument of selfishness and caprice. Leaving this part of the question, he would admit, that, even allowing him to have succeeded in showing the asserted prerogative to be illegal, still, if it were innoxious; if, like many of the enactments in our statute book, it were held out only *in terrorem*, to scare the offender whom it was not intended to injure; or, if its exercise were generally tempered with discretion and guided by justice; whatever objections might be made to its theory, he should not be justified in calling on parliament to interfere with its practice. But if he could show, that in many, many instances, caprice or misrepresentation had guided the blow, that the innocent had been confounded with the guilty, that not only had officers been unjustly punished without trial, but that when, after dismissal from the service, they had asked, not for restoration to their commissions, but merely for an opportunity of vindicating their characters, unjustly traduced, even that poor consolation had been denied; then he trusted, that the House would be disposed to agree with him, that nothing but a strong case of necessity could justify its continuance. To ascertain to what extent the power of arbitrary dismissal had been exercised, he had, last year, moved for a return of the number of officers so dismissed, since 1795; and, would the House believe that they amounted to 989? Here were a thousand cases of injustice [No, no! from the Ministerial benches.] He would ask those gentlemen who said no, no, if it were not an act of injustice to punish any man without trial? If a man were to commit murder in the open day, in the most crowded street of this metropolis, although there were a thousand witnesses to the fact, would he be hung up to the next lamp post, or would he be punished by the laws alone? He would state one or two cases, in support of his argument; and he pledged his honour, that, if necessary, he could cite an hundred, in which the crown had committed the greatest injustice in the exercise of this power. The first he would cite was, the well-known case of the officers of the 85th regiment. Some years ago, three captains and five lieutenants of that corps brought their commanding officer, col. Ross, to a court-martial. Out of several charges, they succeeded in substantiating but one, and that a minor one; upon this, however, col. Ross was sentenced to be reprimanded. His majesty was so much displeased with the officers, who had thus brought their superior to trial, upon charges which they were unable to prove, that the judge-advocate, by his order, wrote to the commander-in-chief, to inform him, that he had no further occasion for their service. This was a most unjust proceeding. Those officers ought to have been put on their trial in their turn, which would have given them an opportunity of showing that they had, much against their inclination, been almost forced to bring those charges against col. Ross, for which they were now so cruelly punished. So far the injustice seemed confined to the inferior officers; but what would the House say, when they heard the conclusion of the judge-advocate's letter? It proceeded to state, "that this brought to his majesty's recollection, that col. Ross had lately been guilty of a similar offence, having brought major Ottley to trial on several unfounded charges." It then concluded by ordering col. Ross also to be dismissed the service. In the name of justice, and of common sense, what system of law was this? Here was the case of an individual, who, unjustly arraigned, saw his accusers punished for the prosecution to which they had subjected him; but at the moment when he could least expect it, the blow fell on him also; not for any new offence which he had committed, but for something which had been treasured up, to be levelled at him when wholly unprepared to meet it. If he had been guilty of a military offence, in bringing an officer improperly to trial, why was he not punished at the time; why was he allowed to continue in command of the regiment? But it was a waste of words to comment on such proceedings; the whole transaction was of so monstrous a nature, that it needed only to be mentioned to excite the reprobation it deserved. Another case of equal or even greater hardship, was that of an officer of the Blues. Dissensions had unfortunately subsisted in that regiment for some time, when an officer, for lampooning his comrades, was obliged to quit it. It was resolved by the whole corps, that, in the event of the discarded officer challenging any one of them, such challenge was not to be accepted. Some time after, a captain of the regiment met the officer who had been dismissed; high words ensued, and a challenge on the part of the discarded officer was the consequence. A statement of the transaction being made to the regiment, it was agreed that no notice whatever was to be taken of the challenge. The officer was, in consequence, posted by his challenger, upon which, some of the regiment, with a strange inconsistency, preferred a complaint against him at head quarters. The House were, perhaps, not aware, that the king's regulations were most positive against duelling, the sending or accepting a challenge being punishable with cashiering; thus, in addition to the resolutions of his comrades, the officer was supported by the positive orders of his sovereign. Would it be believed, that, in defiance of those regulations which, that they might be generally known, were every month read to every regiment in the service, this officer was by the king dismissed for not fighting a duel; in other words, for obeying the positive order of the king himself. How was an officer to act when thus placed on the horns of a dilemma. If he accepted a challenge, he was liable to be cashiered; if he refused it, he was dismissed the service? Whenever it was asserted, that the prerogative was likely to be abused, an answer was attempted, by urging the responsibility of the servants of the crown for the advice they might give, and their liability to be called to a severe account if they abused their trust. Such an argument experience showed to be empty words. Let the House look to the events of the last session, for the effect of parliamentary control on the conduct of a minister. When, by a most outrageous stretch of the prerogative, his gallant friend (sir R. Wilson) had been removed from the service, upon charges which the ministers themselves shortly after knew to be vague and unfounded, what was the result of an appeal to parliament? Not only was redress withheld, but even all explanation of the grounds on which that step had been taken, was denied: a majority of the House had refused to admit the question of inquiry; though he was convinced, that if they had been asked individually their opinions as gentlemen, there was not one who would not have been compelled to acknowledge, that his hon. friend had been treated with the most cruel injustice. Having thus endeavoured to demonstrate, and he trusted successfully, that this asserted power was illegal, in direct violation of the statute which was made the ground of its assumption, and in its exercise cruelly oppressive, still his task remained unaccomplished; and, to justify him in requiring the interference of parliament, it was necessary to convince them, that the discipline of the army could be maintained without it. This he conceived to be so easy, that he trusted a very few words would suffice to establish the proposition, that the punishment of all refractions of the articles of war, and all breaches of military discipline, might safely be entrusted to the discretion and integrity of a court-martial. The advocates of the prerogative contended, that cases might arise of a nature to require immediate and summary proceedings, and of a nature which could not safely be trusted to the decision of officers of the army. With regard to the first objection, he would ask, which were the most serious military offences? Mutiny, insubordination, or plunder in presence of the enemy. Thus, one charged with these crimes, might be brought before a drum-head court-martial, be accused, convicted, and shot in half an hour. If that were not a summary proceeding, he did not know what was. It had, however, been contended, that cases might arise of disaffection, so generally diffused through a garrison, as to make it impossible to bring an offender to justice, through the medium of a court formed of materials so tainted. Such an argument would be worth something, if the offence, as in civil cases, must be tried in the place where committed. But a military offender might be tried in England, upon charges laid against him in India; if, therefore, the garrison of Dublin were in a state of disaffection, any offender, whom it might be necessary to bring to justice, might be tried in Edinburgh or London. The members of the court, although usually taken, in their turns, from a list, in military phrase termed a roster, might, whenever it pleased the crown, be selected from any part of the army, least tainted with disaffection. Let them contrast these with the proceedings before the ordinary courts of justice; there the venue must be laid, and the jury chosen from the county in which the offence had been committed, from among those who might be connected by ties of friendship or acquaintance with the accused. Then the sheriff, if suspected of partiality, was precluded from returning the jury, and, in all cases, chose them from a number of not less than 48. But the unfavourable chances did not end here: they attended the military prisoner through every stage of trial. In criminal proceedings, before the ordinary courts, a right of peremptory challenge, to a certain extent, was allowed; no such privilege was extended to a military offender, who must show cause for every challenge. In the former case, the judge and jury were distinct; in the latter they were one. In the ordinary courts the jury must be unanimous to convict a prisoner: in military courts 9 out of 13 were sufficient to condemn in capital cases, and a bare majority in all cases not capital. It had been said, that the members of a court-martial might be suspected of a fellow-feeling towards one of their own profession, and be disposed to defeat the ends of justice. Without meaning to cast any imputation on the members of the profession, he could not help observing, that if any bias were to exist in their minds, it might naturally be supposed to be towards the crown, the source of all their honours and emoluments, rather than towards a friendless individual, from whom they could expect nothing. Besides all these fearful powers with which military courts were armed, they had delegated to them an indefinite power of trying every offence of which a human being could be guilty, whether declared to be such or not by the articles of war, or act of parliament; for, by the 2nd article of the 24th section of the articles of war, it is enacted, that "all crimes not capital, and all disorders and neglects, which officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not specified in the said rules and articles, are to be taken cognizance of by a general or regimental court-martial, according to the nature and degree of the offence, and to be punished at their discretion." Such being the power with which the crown was legally vested, he would ask, could any one really believe that the removal of the power of arbitrary dismissal, could in any way be considered as likely to prove dangerous to the sovereign? But might not its continuance prove dangerous to the constitution? Did not the evidence of all history prove, that the more the soldier was separated from the citizen, the more he was placed at the absolute disposal of the executive, the more dangerous he became to the rest of the community? It was an observation of Montesquieu, that all men in a society, who were deprived of those privileges which were enjoyed by their neighbours, were to look at them with envy, and be ready to assist in their destruction. Was it not, then, a species of political suicide on the part of a legislative assembly, voluntarily to throw into the hands of the sovereign this most dangerous power, or still more so, to allow it to be exercised in direct violation of their own enactments? If they placed the army beyond the pale of the constitution, if they showed themselves unwilling to allow them a participation in those rights which they themselves enjoyed, did they not force them into the arms of the sovereign, to whom they would naturally be disposed to look as the source of all the honours of their profession? He might be told, that our own history in former, and that of other nations at the present time, presented proofs of an army being more disposed to side with the people than with the crown. If, indeed, a tyrant similar to the last of the Stuarts were once more to fill the throne of this country, who, not content with subverting its liberties, were to attack its religion (and he begged the House to recollect, that a great contemporary authority had given it as his opinion, that had not James tried to overthrow the religion of the country, his army would never have sided against him), then, he doubted not, that the army would recollect that they were citizens before they were soldiers. But might no situation be supposed between national freedom and the tyranny of James, or that of a Bourbon of Spain, or a Bourbon of Naples? Were there no gradations through which an army might be led step by step; and did they not know, that from the nature of its constitution, it was only in extreme cases that an army could be induced to resist what they had been taught to consider lawful authority? If this were considered, it would be obvious, that an evil disposed monarch, with an army at his absolute disposal, might become dangerous to the liberties of his subjects. Probably his fears would appear ridiculous to many, who considered the manner in which the liberties of the country were cherished by his present majesty; but, although they had the good fortune to possess a sovereign anxious to promote the happiness of his people, they could not tell who might follow him. It was a just remark, that the best princes were often in one respect dangerous to liberty, by removing from the minds of their subjects that suspicion which is its best safeguard. He had now little more to add, having stated all that he considered as most likely to give effect to his arguments. On those who considered the officers of the army as menial servants of the crown, and who thought the king had as good a right to dismiss a general as to discharge a footman, those arguments would have little influence. But, if they who were disposed to think, with him, that the soldiery were the servants of the state, by whom they were paid, and for whose service they were raised, and that the power of the sovereign over them was placed in his hands for the public good; if they who would wish to keep alive those feelings of nice honour and attachment to the laws, which alone would prevent an army being dangerous to the state; if they were not convinced, he must attribute his failure, not to the weakness of the cause, but the feebleness of the advocate. Before he sat down, he begged, in the name of the army, to implore the House not to withhold from them a participation, as far as circumstances would admit, of those rights which were justly considered the birth-right of every individual in this land of freedom. He would particularly address himself to those who had so often and so ably advocated the cause of foreigners residing in this country. If they had exerted themselves in favour of aliens, to whom they were bound by no other tie than the common feelings of humanity and jutsice, would they remain silent when they saw equal if not harsher restraints about to be continued against their fellow citizens, the brave defenders of their country? No, forbid it every feeling of gratitude and justice; and he would remind them of the eternal truth applicable to the internal as well as external affairs of a state: "Non modo falsum esse illud, sine injuria non posse, sed hoc verissimum, sine summa justitia rempublicam regi non posse."—He concluded by moving, "That it be an instruction to the Committee, that they have power to make provision to prevent the Dismissal of Officers of the Army without trial by a Court-martial, or the punishment of any Officer, Non-commissioned Officer, or Soldier, who shall have been tried by a Court-martial, in any manner beyond the sentence of the Court."

Lord *Palmerston*, in stating the grounds upon which he should feel it his duty to oppose this motion, did not mean to follow the example of the hon. gentleman, in producing a number of authorities, drawn from various authors, who had taken, possibly, a partial view of the subject, or had judged erroneously on a matter which did not fall within the course of their ordinary discussions. If he could not produce an argument sufficiently strong in itself to carry conviction to the mind of the House, he would not attempt to bolster it up with quotations and authority. The ground of his opposition would be, that the principle of this proposition involved a direct breach of an important prerogative, which the crown had possessed from the earliest periods; and which it was most essential for its own splendor and for the interests of the people, that it should continue to retain. He was one of those who considered that the prerogatives of the crown were not given to it for the peculiar advantage, or dignity, or interest, of the individual who might happen to wear the crown; but for the interest and the benefit of the people. It was not requisite that he should go into any long historical research to prove that this was a prerogative of a most ancient character; for he had only to refer the House to the statute book of the realm. He need only refer them to the statute passed in the beginning of the reign of

Charles 2nd, which declared, "that the government or command of the militia, and of all the forces by sea and land, of this realm, is, and by the law of England always hath been, the undoubted right of the kings of England; and that of both or either of those forces the control and command ought not by the parliament to be assumed." And the act of the next year declared to the same effect. He had also before him the articles of war, which were published in the reign of Elizabeth, at a time when the earl of Essex was at the head of our army, and parliament, under the extraordinary circumstances in which the nation was placed, took upon itself the exercise of a prerogative which belonged to the crown, and the crown only, of right. He had likewise the articles of war of Charles 2nd's reign: and by these, courts-martial were instituted. They were instituted under powers which were thus delegated from the crown. The crown could not grant those powers, if it did not possess a prerogative to do so; and therefore he was entitled to assume, that it did possess the prerogative. In the articles of war of the reign of Charles 2nd it was declared, "that no officer shall be dismissed from the service, except by an order from us, our general, or of a court-martial." It was clear, then, upon every principle of strict reasoning, analogy, and common sense, not less than upon these authorities, that the power of dismission had always resided in the crown. If he was right in this assumption, he must be allowed to say, that there was nothing in the Mutiny bill which took away the prerogative. Nothing could be a greater mistake than that which hon. gentlemen opposite frequently committed, in calling the Mutiny bill the protection, the safeguard of the army; as if it conferred upon the army some privilege which was to countervail the prerogative of the crown. It was, in fact, a bill to enable the crown to proceed more summarily, in certain cases, than otherwise it would be competent for it to do. At the time of the Revolution, as was well known to every hon. gentleman who heard him, it was considered illegal and unconstitutional to proceed against a military offender, otherwise than by common form of law in the courts. It was equally notorious, that at the latter end of the reign of James 2nd, and the begining of William 3rd, the army were guilty of various acts of riot and insubordination. What did parliament then do? They passed an act, giving his majesty power to proceed summarily against such offenders. What the intentions of parliament, in enacting that statute were, its preamble would sufficiently show. It began by stating, that a standing army was, by the constitution, dangerous and illegal; that the king and parliament, nevertheless, under then existing circumstances, deemed it expedient that one should be kept up. It recited, that in time of peace, no man could legally be punished by martial law. Yet, said the same act, "it being necessary to keep the soldiers in their duty—that exact discipline should be kept up, and that those who desert the service should be brought to more speedy punishment;" and then it went on to give to the king a power of appointing courts-martial to try such offences. The Mutiny act could not be considered as abridging any of the royal prerogatives, unless it did so, not by implication merely, but in express terms. It also gave to the king the power of making articles of war; and in the next clause, there was this limitation —"that no person within the realm should be made responsible for life or limb, except for the crimes mentioned in this act, and punishable in the manner therein described." This act, therefore, left the king with the power which he undoubtedly possessed of dismissing any servants whom he pleased—a power necessary to his dignity and his independence. The case of captain Caulfield of the navy, which had been mentioned, was of a very different description from the other cases adduced by the hon. gentleman. He was tried by a court-martial. The Admiralty, thinking the sentence of that court not sufficiently severe, dismissed him from the service, independently of the finding of the court-martial. The crown confirmed this dismission, and in so doing was undoubtedly improperly advised. But, if the hon. gentleman meant to say, that the judges, in delivering their opinion upon captain Caulfield's case, intimated that the king had not the power of dismissing any of his servants, he (lord P.) must protest, that their opinion would bear no such construction. The hon. gentleman had said, that since the year 1795, no less than 929 officers, whom he denominated the victims of injustice and oppression, had been dismissed the service. It would be found, however, that the ground of dismission, in respect to the greater number of these officers, was, their being absent without leave. He flattered himself he should be able, if it were considered necessary, to prove, that in all these cases the crown had been as well advised, as he had shown it to have been in respect of a case mentioned on a former evening. On that occasion the hon. gentleman had done him the favour to inform him beforehand, that he meant to bring it forward; and perhaps the hon. gentleman's ill success in that instance, had induced him now to advert to nine or ten cases successively, in the well-grounded belief that he (lord P.) would be less prepared to meet him than upon the isolated case in question. In the year 1734, this prerogative had been admitted, by those who most questioned its propriety, to be vested in the crown. To show its expediency, however, let the House suppose the case of an officer accused of cruelty to part of any hostile population. If he were tried by a court-martial composed of officers, every one of whom had been guilty of the same offence, the consequence would naturally be an acquittal. Would it be improper that the crown should interfere under such a state of things, and do that justice which the court would not do? It was only the other night, on the contrary, that the hon. gentlemen opposite—those gentlemen who always professed themselves the friends of liberty, humanity, and strict justice—complained, in discussing a particular case, that a court-martial had violated its duty by returning too lenient a sentence. Suppose that in that case an acquittal had been returned—would not the crown have been petitioned to revise the sentence of the court? Let them suppose, again, the case of an officer, guilty of some crime cognizable by the civil tribunals of the country—how would the civil law enforce his obedience to its injunctions? Did any one suppose that a constable, with a warrant in one hand, and his staff in the other, would be any thing like a match for a general officer supported by six or seven hundred bayonets? If the views of the hon. gentleman were carried into effect, it would be impossible to enforce the laws by which the army was governed, except by the instrumentality of the army itself. The case of colonel Allen, which had been referred to on a former evening, would afford a clue to the consequence that would result from such a system. Colonel Allen, it would be recollected, demanded to be tried by a court-martial, upon a charge arising out of a complaint made by his commanding officer. It happened, that the colonel was tried, not only upon that particular charge, but also upon two others. Colonel Allen complained of that circumstance, and said that it was gross injustice to try him upon any other charge than that which he had himself desired to be brought to trial upon. He (lord P.) believed that, if the hon. gentleman's clause were agreed to, every officer would, like colonel Allen, object to be tried upon any charges except what they themselves should set up. By acceding to the amendment, the House would create a fourth estate in the kingdom; and convert the army into a power most dangerous to the country. Instead of being subordinate to the proper authorities, and incorporated with the practice of our constitution, the army would be changed into a corps of Mamelukes, which would very soon overthrow the laws, and annihilate all power but their own.

Mr. *Hutchinson* maintained, that the power of dismissing officers without previously bringing them to trial, was a prerogative which the king ought not to possess. He believed that the late emperor of France, and he was certain that the present king of that country did not possess that power. There had been instances recently of distinguished French officers being tried for state offences, and yet retaining their rank. The king of France could refrain from employing military officers, but he could not dismiss them. That could only be done by the sentence of a court-martial. He believed that not even the most despotic governments possessed the power which was said to be vested in the crown of England. He agreed with the noble lord, that the prerogative which was claimed for the king of England ought to be, and generally was, exercised for the interests of the people, and in support of the dignity of the crown: but, there were instances in which great injustice would have been prevented, if officers had been afforded an opportunity of defending themselves before a court-martial. The case of his dear and valued friend (sir R. Wilson) was one of those instances. If that distinguished officer, covered as he was with the honourable rewards which he had earned in so many bloody contests, had been tried by a court-martial, he would have been acquitted; not on account of the considerations to which he had just alluded, but upon the mere merits of the case. So confident was he of the propriety of the conduct of his gallant friend, that he did not hesitate to declare his conviction, that if ministers had known the circumstances of the case before the gallant officer was dismissed, they would not have consented to the proceeding. Sir R. Wilson had committed no offence; his exertions on the day of the queen's funeral had prevented the spilling of blood. Had it not been for his interference, many lives must have been lost, and the city must have been thrown into such a state of confusion, that all the powers of government would have been ineffectual to prevent the most terrible disasters. He trusted that a moment of calm reflection would arrive, when justice would be done his gallant friend by restoring him to the rank which he deserved, and giving to the profession to which he belonged the advantage of possessing so brave, so experienced, and so talented an officer.

Mr. *H. Gurney* was of opinion, that the king's prerogative of dismissing officers from his service was a very necessary one; and lamented that the hon. colonel, in his zeal for the liberties of Englishmen, had not rather turned his attention to the position of the privates, under the existing system of martial law and life enlistment, than to a few possible cases of very inferior hardship.

Mr. *Hume* observed, that the hon. member who spoke last had said, that he thought the king ought to possess the power of dismissing his own officers. Now, he would maintain, that the army was not the servant of the king, but of the state, and that the king was only required, as chief magistrate of the state, to administer justice to it. There was a wide distinction between the power which the king possessed of dismissing his own servants, and that which was claimed for him of dismissing military and naval officers. The noble lord commenced by admitting, that the foundation of all prerogative was utility; but he had failed to show wherein consisted the utility of the particular prerogative in question. The acts to which the noble lord had alluded, were passed at a period when the kingly prerogatives were the subject of dispute between the crown and the people. Since that time many of the prerogatives of the crown had been annulled, and the king now possessed none, except those which were confirmed to him by act of parliament. If that were not the case, why should it be necessary to pass an act of parliament annually to continue those prerogatives? The army existed only by the passing of the bill before the House. If the bill did not pass, there would be no army; and if there were no army, there could be no prerogative over it. The hon. member referred to the Mutiny act of last year, which, he observed, provided, that individuals in the army who committed any of the offences recited in the act, should suffer the punishments that might be awarded by a court-martial: but there was no part of the act which gave to the king the power of cashiering officers. To be sure, the noble lord had said, that by section 35 of the act, the king had the power of establishing articles of war which were to be recognized in all courts of justice, and one of which declared, that the king might dismiss officers: but the noble lord could not fail to know, that in every act of parliament which was passed, provision was made, that no regulations should be framed for carrying the act into effect, which were contrary to the spirit of the act itself. Now, he contended, that the assumed right of cashiering officers was opposed to the spirit of the act. The noble lord had asked how the prerogative could be dispensed with in the case of a mutinous garrison. He would ask the noble lord, in return, of what use the prerogative would be under such circumstances? Mutineers usually placed themselves beyond all power, and listened to nothing but their own will. He therefore thought that the argument of the noble lord upon that point must fall to the ground. There were doubtless advantages and disadvantages attached to both the modes of proceeding with respect to officers—namely, by a dismission by the crown, and by a trial by a court-martial; but he believed that, upon a fair comparison, the balance would be found in favour of the latter. Certainly, nothing could be so bad as the tyranny and cruelty of dismissing an individual who, perhaps, had served his country for 30 years, without affording him an opportunity of exculpating himself.

Mr. *Wynn* said, that he had now, for the first time, heard it asserted in that House or elsewhere, that the king of England possessed no prerogatives, except what were granted to him by acts of parliament. The hon. gentleman, with his great legal knowledge, would perhaps condescend to point out the particular acts, nay, the particular sections of the acts, by which a few trifling prerogatives —such, for instance, as the power of making war and peace, and of assembling and dissolving parliament—were secured to the crown. The hon. gentleman had said, that there was nothing in the Mutiny act which gave the king authority to dismiss an officer. Let the hon. gentleman consider how far his argument might be carried. Did he mean to contend, that the king could not dismiss a private soldier for misconduct—that he could not disband a mutinous regiment without bringing every individual in it to trial by a court-martial? If there was any thing in the hon. gentleman's argument, it must go to that extent. He believed that the prerogative in question might be used most beneficially for the public, in cases in which it would be imprudent to subject officers to a trial by a court-martial.

Lord *Hotham* was of opinion, that a prerogative which had been exercised for so long a period, must have some foundation in law. The only objection which he should notice was, that there was danger to the constitution in the assumption of this prerogative. He had frequently heard fears of danger to the constitution, expressed on the opposition side of the House; but, as it appeared to him, the only danger to the constitution, connected with the subject, would arise from the motion of the gallant member, if carried in the affirmative; for he confessed, he could not see a greater source of danger than an army independent of the crown. It had been said, that officers of the army ought to enjoy the same privileges as other subjects. Now, he had spent a great part of his life in the army, and no man could be more anxious than he was for the welfare of the service; but he could not consent to give to it the privilege now sought for; because he thought it would be of no advantage to the officers individually, but would be most dangerous to the country.

Sir *F. Blake* could not consent to the motion, but thought that, in cases of dismissal of the nature alluded to, some compensation ought to be given to officers. For his own part, in a corps which he had the honour of commanding, he had found great advantage from the power given to colonels of reducing non-commissioned officers to the ranks; and, as that power was not disputed, he did not see why the sovereign should not have a similar power over commissioned officers.

The amendment was negatived. The House having resolved itself into the committee,

Colonel *Davies* proceeded to reply to the observations of the noble lord made in the former stage of the bill. He contended, that the 13th and 14th of Charles 2nd had nothing to do with the question. If the crown possessed this mighty prerogative, what was the use of passing the Mutiny bill in such a hurry, or what was the use of passing it at all?

Mr. *Wynn* considered it irregular for any member to reply directly, in one stage of a bill, to the observations of another member, made in a former stage.

The *Chairman* said, it was not strictly regular to reply to a speech made in a former stage; but he thought the hon. member had a clear right to go again into arguments on the general measure.

Colonel *Davies* resumed, and went on to contend, that, by the 37th section of the bill, it was laid down that all officers must be tried by a court-martial for any offence imputed to them, and that dismissal by the crown without such trial was against the spirit and letter of the act referred to.

Lord *Palmerston* maintained, that the act Charles 2nd did not confer the prerogative on the crown, but recognized it as pre-existing. The hon. member had asked why press this bill, if the crown had so extensive a prerogative? To this he would reply, that it was necessary, for the sake of discipline, to have a summary mode of punishing offences committed by officers of the army. If the crown did not possess the power of dismissing without a court-martial, then no new enactment was necessary; but such was not the true construction of the 37th section. It said, that it should be lawful for a court-martial to try for certain offences; but it did not interfere with the power of the crown to dismiss without trial. There were many cases, not breaches of the articles of war, which would not only warrant, but require a dismissal without trial. How, for instance, could a man be tried for want of talent?

The bill then went through the committee.

Navy Estimates.]—The House having resolved itself into a Committee of Supply, to which the Navy Estimates were referred,

Sir *John Osborn* said, he would submit certain items to the consideration of the committee. These were for the wages of labourers and artificers employed in the dock-yards; next, for the charge of timber and other materials for the building of ships, the charge for pilotage and other contingencies: under this head there was a considerable reduction, which was to be attributed, in a great degree, to the improved and effective state of the navy, and to the prudent reductions that had been made in the different dock-yards. Under the second head, there was also a considerable diminution; there were considerable reductions in the half-pay, and in the widows' pensions; there was, however, an additional charge of 310,000*l.* for Greenwich hospital. The third part of the estimates was an estimate of the sums paid in the nature of superannuations to reduced officers and clerks. The next charge was for the building and repairing of ships. Upon the whole, there was a reduction, as compared with the estimates of the last year, of 216,864*l.* 16*s.* 3*d.* The amount of the estimates of the last year was 5,480,405*l.*, to which was added 310,000*l.* for Greenwich hospital, making 5,790,405*l.* From that sum was, however, to be deducted the amount of the sale of old stores, &c. The amount of the estimates for the present year was 5,442,540*l.* 6*s.* 8*d.*, and, as he had already said, there was upon the whole a reduction of 216,864*l.* 16*s.* 3*d.* as compared with the estimates of the preceding year. When it was considered that we had 4,000 men more employed than were employed in the last year, it must give great satisfaction to the House and to the country, that the estimates were considerably lower. But it would give still greater satisfaction, when he stated, that the navy of Great Britain was never in so efficient a state as it was at the present moment. The hon. member concluded by moving, "That 55,406*l.* 5*s.* 1*d.* be granted for Salaries and Contingent Expenses of the Admiralty Office."

Mr. *Hume* said, he understood that the state of the navy now, was not better than it had been three years ago. All the reductions that had been made this year might have been made seven years ago; but, better late than never. The reductions in the dock-yards ought to extend not merely to the workmen, but to every other class. The workmen were hardly dealt with. They had now the same rate of wages that they formerly received; but they were compelled to work ten hours in the day; whereas, they formerly worked but six hours and a half. As to the works in the yards, he was happy to see a reduction of 30,000*l.*, though the expense was still greater than could be wished. He now came to the vote just proposed. Since last year there had been a reduction of 2,000*l.* in this estimate, on account of the vote of the House, which abolished two of the lords of the Admiralty. It was now 55,406*l.* From this he should propose to reduce the salaries of paymaster of marines 1,000*l.*, and six clerks 1,770*l.*, and the paymaster of widows' pensions 600*l.* and the clerk to ditto 80*l.*, in all 3,450*l.* One assistant to the paymaster of the navy would be amply sufficient to perform all the duties of these establishments. So long ago as 1811 the inutility of these offices had been perceived, and a minute had been directed from the Treasury to the Admiralty, submitting the propriety either of transferring both offices of paymaster of marines and widows' pensions to the treasurer of the navy, or at least of uniting the two first offices. Two years and two months after this minute was issued, the secretary of the Admiralty had replied in a letter, which was too long for him to read to the House, that the continuance of the offices was warranted by expediency or economy. He should, therefore, propose the reduction of the sum he had mentioned, as well as of the 200*l.* paid to the secretary of the fund for the relief of widows, the duty of which was done by the secretary of the Admiralty.

Sir *G. Clerk* said, it was a great mistake to suppose, that the office of paymaster of marines could be abolished with advantage. If the business were transferred to the office of the treasurer of the navy, it would be necessary to appoint a cashier with a considerable salary; so that there would be no saving. It was not alone in making payments that this officer was employed, as the whole of the barracks of the marine corps were under his control. The correspondence which this officer had to keep up, was quite sufficient to employ him and the six clerks. As for the paymaster of widows' pensions, and the secretary to the widows' fund, the management of that fund was vested in a distinct and particular corporation, so that the business of it could not with propriety be transferred to the treasurer of the navy.

Mr. *Hume* said, that the treasurer of the navy was once the paymaster of the widows' pensions. He was of opinion, that the marine barracks might be placed under the same control as the barracks of the military.

Sir *J. Osborn* said, that the duties of the paymaster of widows' pensions had been greatly increased of late years, not only by the number of pensions being increased ten-fold, but by the payments being made, instead of once, four times a year.

Mr. *Croker* said, he was not aware that his letter of 1813 was so long and tedious, until the hon. gentleman had conclusively proved it to be so, by showing that, diligent as he was, he had never read it. The hon. gentleman said, that in that letter it was affirmed, that the paymaster of widows' pensions had been once the treasurer of the navy. Now, this was not the fact. In that letter it was distinctly stated, that the paymaster of widows' pensions, had been not the treasurer, but the paymaster of the navy. The managers of the widows' fund were, in fact, a separate corporation, who might choose any one as their secretary. They had chosen him, because, from the office he held, he had greater facilities for carrying on the extensive correspondence connected with the business of the fund. The late Mr. Rose had given it as his opinion, that the business of paymaster of widows' pensions might be done by the treasurer of the navy; and so, as far as mere payment was concerned, it undoubtedly might; but this was the least part of the business. The main part was the business of inspection and correspondence. As to the paymaster of marines' office, the hon. gentleman proposed to transfer the business of payment to the treasurer of the navy, and that of the barracks to the ordnance. But, if this were done, an increase of officers would be necessary, so that nothing would be saved. To revert to the secretaryship to the widows' fund—the secretary of the Admiralty had been first appointed to that office in 1754, at a salary of 200*l.* a year; there were then 300 pensions, and about 4,000*l.* a year to pay. The salary now remained the same, and the pensions had increased to 4,000, the sum to be paid to 150,000*l.*, and the payments were made, instead of once, four times a year. The House would hardly believe him, when he said, he received from 30 to 40,000 letters a year on the business of that office.

Sir *F. Ommaney* said, he was satisfied that, at the present crisis, four lords of the Admiralty were too few, and should move an addition to the present vote of 1,000*l.*, in order that a salary might be given to a fifth lord. He then referred to the destitute condition of the widows of assistant surgeons of the navy, who were not allowed any pensions; and complained, that, when he had represented the hardship of the case to the secretary for the Admiralty, that gentleman had replied, "You need not trouble yourself on the subject, for greater men than you have taken it into consideration." Unless he obtained a satisfactory answer, he would bring the case of the widows of assistant surgeons under the notice of the House. He should now move, to add 1,000*l.* to the vote, in order that a fifth lord of the Admiralty might be appointed.

The *Chairman* apprehended, that it was impossible to increase the amount of the estimate.

Sir *J. Yorke* did not see why the committee might not augment, as well as reduce the estimates.

Mr. *Croker* was sorry the hon. baronet had chosen to remember words which he (Mr. C.) had never spoken, and to forget others which he had uttered. He had told him merely, that the subject had been long under consideration, by a committee of naval men; adding, that if inquiries were made of him (sir F. O.), he might say that he was not responsible, as the matter rested with the lords of the Admiralty.

Mr. *Ellice* was opposed to any delay in voting the navy estimates, but would support the amendment.

Sir *I. Coffin* insisted, that of late years every attempt had been made to grind the British navy to dust.

Sir *J. Yorke* said, it was not true, that endeavours had been made, of late years, to grind the navy to dust. On the contrary, five millions were going to be voted for its support, and 4,000 seamen added to the number hitherto kept up. Englishmen knew that what the gallant admiral had said was unfounded; but what would the French say to such a statement? Did the gallant admiral really think that he had spoken truth? He ought to blush for having made such a statement. He trusted that the gallant admiral would make the amende honorable.

Sir *I. Coffin* declared, in the face of the House, that the navy of England never was in so naked a state as at present.

The amendment was negatived. After which, the several resolutions were agreed to.

NATIONAL DEBT REDUCTION BILL.]—On the order of the day for the third reading of this bill,

Mr. *Grey Bennet* begged to remind the House, that they were now called upon to give their last vote for this most important bill. It was necessary for them, however, to pause. The question for them to consider was—Would they, or would they not, reduce taxation? Would they, or would they not, comply with the urgent petitions from all parts of the kingdom, calling on them to reduce taxes to their minimum, and to confine their amount to the positive wants of the country? He objected to the passing of the bill on two grounds: the first, that there was no necessity for a sinking fund; the other, that the proposed plan was not likely to effect its objects. Ever since the demise of Mr. Pitt, there had been the most violent departures from the original principle of the sinking fund. It was because the scheme of an hon. friend of his (sir H. Parnell) went to place any sinking fund that might be established out of the control of ministers, that he gave it a preference over that of the chancellor of the exchequer. How hon. gentlemen, who knew the distress which the country at large was at this moment enduring, could tolerate the principle of raising three millions in taxation above what was absolutely necessary, for the purpose of maintaining public credit, was to him a matter of utter astonishment. Feeling that the bill was most pernicious to the best interests of the public, he should move, as an amendment, "That it be read a third time on that day six months."

Mr. *Whitmore* said that, looking to the situation in which the country stood, he thought a sinking fund was absolutely necessary for its preservation. If he were asked to adduce one argument stronger than another for the maintenance of such a fund, he should refer to the very beneficial operation effected last year in the reduction of the interest on a portion of the debt—an operation which could not have been achieved but for the keeping up of the sinking fund. Looking to the present state of that fund, he thought that a further operation of a similar beneficial tendency might speedily be effected through its agency. He regretted, that the proposition which was brought forward the other evening, to limit and confine the sinking fund to the amount of the positive surplus of income over expenditure, was not carried. The balance of 2,000,000*l.* on the dead charge, as it had been called, was, he felt no hesitation in saying, one of the greatest juggles that was ever attempted to be practised in that House; and after the merited ridicule which it had received, he had hoped that ministers would have given it up. If it were practicable to make an alteration in the bill to that effect, he should certainly vote for that alteration; but if he was obliged to take the whole bill as it was, or reject it, then, believing a sinking fund essential for the preservation of the credit of this country, he should vote for the original motion.

Mr. *Hume* said, he was anxious to do away the error into which his hon. friend had fallen, in attributing to the operation of the sinking fund that rise in the 5 per cents, which had enabled the finance minister last year to effect their reduction. It was evident, that there could be no real sinking fund but that which arose from a surplus revenue. The chancellor of the exchequer had, on a late occasion, brought down to the House the official returns of the amount of the sinking fund, from the 5th Jan. 1816, to the 5th Jan. 1823. So far, however, was the right hon. gentleman's statement, that the reduction of the 5 per cents had been effected through the operation of the sinking fund, in raising the funds, from being borne out by the facts contained in those papers, that they were completely contradicted by them. In 1816, the revenue was 77,133,281*l.*, the expenditure 83,896,768*l.* In 1817, the revenue was 57,650,589*l.*, the expenditure 58,544,049*l.* It thus appeared, that in those two years, there was an excess of expenditure over the income derived from taxation, of 7,656,947*l.* In the next four years, 1818, 1819, 1820, and 1821, there was in each year a small surplus of income over expenditure. The aggregate of the six years was, of income, 373,590,658*l.*; and of expenditure, 372,822,437*l.*, being an excess of revenue of only 768,221*l.*

To that sum must be added a balance of loans funded in 1815, and brought over to 1816, amounting to 5,939,803*l.*; as also an excess of charge amounting to 2,856,862*l.* which had crept into the finance accounts of the expenditure of 1816. The total surplus, therefore, was 9,564,886*l.* of income over expenditure in the six years, which, if it had been applied in the simplest and most direct way in reducing the debt, would have effected a diminution in the annual charge exceeding 500,000*l.* per annum; whilst, on the other hand, by the very complicated system followed of raising loans, issuing exchequer bills, and afterwards funding them to the extent of 57 millions, exclusive of 36 millions borrowed from the sinking fund, and thus transferring and retransferring about 120 millions of capital, instead of any diminution, although there had been an actual diminution of charge within the six years in question to the amount of about 230,000*l.* per annum, by the expiry of life and other terminable annuities, and of 941,500*l.* per annum, by the reduced rate of interest at which exchequer bills had been issued—notwithstanding all these circumstances, the charge on the debt, funded and unfunded together, for the year 1821, considerably exceeded the charge for any preceding year. By the papers on the table, it appeared, that in 1816, when there was an excess of expenditure to the amount of 6,763,487*l.*, the chancellor of the exchequer gave the commissioners of the sinking fund the sum of 13,047,317*l.*, with which they relieved stock to the extent to which it would go; although it was evident, that the deficiency of income ought first to have been supplied. In 1817, the excess of expenditure over income was 893,460*l.* Still, however, the chancellor of the exchequer gave 13,555,722*l.* to be employed by the commissioners of the sham sinking fund. In 1818, though the surplus of revenue over expenditure was only 1,795,513*l.* the chancellor of the exchequer gave the commissioners 14,418,295*l.* In 1819 the chancellor of the exchequer gave the commissioners for the reduction of the debt 9,285,677*l.*; in 1820, 4,101,025*l.* and in 1821, 4,324,574*l.*: so that, during the six years to which he had referred, the chancellor of the exchequer enabled the commissioners of the sinking fund to purchase stock to the amount of 58,732,610*l.*, although the actual surplus in those six years, was no more than 9,564,886*l.* The fact was, that the chancellor of the exchequer had created a new debt of 57,500,000*l.* to enable him to make up the money which he had given to the commissioners. How was it possible that such a proceeding could have any beneficial effect on public credit, or the price of the funds? With regard to the present measure, it was precisely the same in principle (although on a smaller scale), as the system which had led to the results that he had stated; and he therefore gave it his decided opposition. He was convinced that, until all the different interests of the country had recovered sufficiently to bear the taxation at present imposed upon them, we ought to abstain from adopting any sinking fund at all; so that at present, he was averse even to the application of the 3,000,000*l.* of real surplus to that purpose. Whenever a real surplus should be so applied, it ought to be in converting permanent into long annuities, so as to afford the prospect of an actual cancelling of a portion of the debt.—But, he had a more serious objection to make to the bill than any he had yet stated. It called on the chancellor of the exchequer to pay 5,000,000*l.* to the commissioners of the sinking fund, even if the surplus revenue should not exceed 500,000*l.* The consequence therefore, in that event would be, that the chancellor of the exchequer must go into the market, with exchequer bills, to raise money to supply the deficiency. In fact, the whole of the late vicious system would be travelled over again. He could show, by accurate calculations, that if there had been no sinking fund during the last five years, the country would have been subjected to a charge of only about 28,530,000*l.* for that which cost it about 31,392,000*l.* But for the hocus pocus of the sinking fund, the country would have been less in debt at the present moment by the difference between those two sums. He called upon the House, therefore, to pause before they agreed to the bill.

The *Chancellor of the Exchequer* said, that the hon. member seemed to assume, that he (the chancellor of the exchequer) had, on a former occasion, affirmed, that the reduction which had taken place in the funded and unfunded debt, and in the charge which they imposed upon the country, had been entirely owing to the sinking fund. Now, he had affirmed no such thing. His argument was simply this—that, if the House took the amount of the funded and unfunded debt on the 5th of Jan. 1816, they would find, that it was 864,000,000*l.*: that if they took the amount of the funded and unfunded debt on the 5th Jan. 1823, they would find that it was 840,000,000*l.*; it followed, therefore, as a necessary consequence, that in the course of the seven years, by some process or other, there had been an actual reduction of debt to the amount of 24,000,000*l.* But he had never said that this reduction was entirely owing to the operation of the sinking fund. On the contrary, he knew that it was not so. But he did maintain, that by some operation or another, there had been a reduction to that amount made during the last seven years. Why, then, should they now decide against carrying that reduction still further? The measures adopted by government had enabled them both to provide for the reduction of the debt, and to lessen the burthens of the people, and, therefore, ought to be persevered in.

Mr. *Tierney* did not rise with the intention of denying that a reduction of the amount of the debt had been effected. That did not appear to be the question at issue. The hon. member for Aberdeen merely wished to show, that no reduction of debt had been caused by the operation of the sinking fund; and, if the clear statement of the hon. member had failed to convince the House of that fact, it would be useless for him to attempt to do so. He regretted that his hon. friend had proposed to postpone the third reading of the bill for six months. He thought that a delay of six weeks would afford the House sufficient time to determine what measures it would be necessary to adopt. He still thought, that more good would result to the country from the remission of taxes, to the amount of the sinking fund, than from the maintenance of that fund; but, as the feeling of the House was against him, he would not trouble them with one word more respecting it. He would confine himself to the amount of the surplus revenue over expenditure; and that brought him back to the dispute of a former night, as to whether the surplus was 5,000,000*l.* or 3,000,000*l.*, and whether the operation proposed to be performed on what was called the dead weight, would furnish 2,000,000*l.* to be applied to the redemption of the debt. He implored the House to consider those questions maturely. He believed the chancellor of the exchequer, whatever necessity he might suppose to exist for the maintenance of a sinking fund, would not desire to have one which did not consist of a real surplus of income. He (Mr. T.) would contend, that, according to the papers before the House, the sinking fund consisted of only 3,000,000*l.*, and that there was no surplus revenue beyond that amount. The answer which the chancellor of the exchequer had given to him on a former evening, appeared to have been satisfactory to the House. He had understood the right hon. gentleman to say, that, by his new plan, with respect to the half pay and pensions, the sum of 2,000,000*l.* would annually be saved to the country; that, in fact, instead of paying the whole amount of the pensions and half pay, as at present, the sum of 2,800,000*l.* would be spread over a surface of 45 years, in the payment of annuities, which would leave 2,000,000*l.* available in the hands of parliament, for any purpose which might be considered proper, and which might, therefore, be applied to the reduction of the debt. That being the case, nothing in the way of benefit could result from the operation. Dealing in round numbers, he might say, that 5,000,000*l.* was, at present, to be paid to persons who had claims upon the government in the shape of pensions and half pay; and, it should be remembered, that 2,800,000*l.* was, by act of parliament, provided out of the sinking fund, for the payment of those claims: that would leave about 2,000,000*l.* to be provided for. The chancellor of the exchequer said, that he would make an arrangement with the parties, by which they should accept annuities for the term of 45 years, instead of receiving the two millions which would be left in his hands. With these two millions the right hon. gentleman proposed to go into the market, and purchase perpetual annuities in the three per cents. Now, how it could be maintained, that these two millions were not borrowed, he could not understand; and he was equally at a loss to perceive, how a single shilling could be saved to the country by the operation, more than would have been obtained by continuing to pay off dead weight as it was paid at present. By passing the bill, the House would be sanctioning two things, as much opposed to each other as black was to white. He could not perceive the wisdom or the efficacy of the plan. If a person, having claims upon his estate to the amount of

2,000*l.*, should burthen his property with annuities for 45 years, and employ the 2,000*l.*, which would be thus set at liberty, in improving his estate, by digging a canal, or by other means, he would act wisely; but, if the same person employed the money in the redemption of another debt, he would gain nothing by the operation; in fact, he would lose, in consequence of having to pay for stamp duties, and the employment of lawyers. The effect of agreeing to the bill, would be to prevent the House from taking off any more taxes; and yet, when the chancellor of the exchequer's plan was first introduced, it was supported on the ground that it would afford an opportunity for the reduction of taxation. He hoped, therefore, that the House would agree with him as to the necessity of confining the sinking fund to 3,000,000*l.*, and not give the chancellor of the exchequer the other 2,000,000*l.*, which would not advance the redemption of the debt at all. He entreated gentlemen who desired to see a further reduction of taxation effected, not to let slip the only opportunity which now remained of attaining their object. The House had acted wrong in approving of the plan with respect to the dead weight, because the principle of it was directly in the teeth of that of the sinking fund; but, having done so, in the name of God, let them stick to it. For his own part, he should not consider himself at liberty to vote for the repeal of a single tax after the passing of the bill.

Mr. *Huskisson* expressed his satisfaction at finding, that after the numerous discussions which had taken place on this question, there were so many gentlemen favourable to the principle of maintaining a sinking fund. He was glad to find that even the right hon. member who spoke last, as well as the hon. member for Portarlington, had in some measure come round to the opinion, that it was necessary to possess a sinking fund composed of the surplus revenue, to be applied to the reduction of the debt; the last hon. member's main objection to it, arising out of a fear that it would operate as a temptation to extravagance on the part of ministers. But, ministers could not touch the sinking fund without the consent of that House. It was not fair to charge ministers with extravagance, for having, on former occasions, with the consent of the House, disposed of portions of the sinking fund in a manner most conducive to the interests of the country. An available sinking fund was necessary to the public credit; and unless they acted on that principle, they would place the country in a situation which would prevent them from acting with promptness and energy, in the event of any future contest. It was to the punctuality with which public credit had always been supported, that this country owed the elevation to which she had risen. He would admit, that the real surplus of income over expenditure, after deducting the taxes remitted, amounted only to 3,000,000*l.*; and he would admit, that the other 2,000,000*l.* which were to be added to the sinking fund, were not derived from surplus revenue, but the operation with respect to the half-pay, which had been described by the right hon. gentleman. The country had to pay annually 4,800,000*l.* for the half-pay and pensions; and by the plan of last year, annuities were granted for the term of 45 years, by which 2,000,000*l.* a-year would be set at liberty, and applied to the redemption of debt. The hon. member for Portarlington had asked, from time to time, why not apply the money as the lives dropped in? The hon. baronet had answered that question, by showing, that it would be more advantageous to obtain possession of the whole sum by one operation. It had been objected, that the plan would prevent the remission of taxation. So far from that being the case, the very recommendation of the plan was, that it enabled the House to relieve the country from taxes, to the amount of the sum which would be saved in consequence of its being carried into effect. So far from the plan tying up the discretion of parliament with respect to the remission of taxation, parliament had already taken advantage of the opportunity which it afforded for the remission of taxation, and had thus in a manner pledged itself to the support of the plan. He believed that, in future, the true principle of a sinking fund would be adhered to. He could not concur in the gloomy anticipations of the rapacity of ministers with respect to the sinking fund. It was not probable that circumstances would again rise, which would induce parliament to depart from the principle laid down in 1792, with regard to the sinking fund. If the war had terminated in 1798 or 1799, which was about the ordinary duration of wars, that principle would never have been broken in upon. He wished the House to consider what would be the consequence of postponing the bill for six months. According to the law as it stood, the government would be obliged to supply the commissioners for the reduction of the national debt with 4,000,000*l.* to be applied to the purchase of stock between the 5th of April and the 5th of July. In order to do that, they would be obliged to borrow money; and thus would they be thrown back to the old system of raising loans, which had been so properly condemned.

Lord *A. Hamilton* contended, that the sinking fund, as it was proposed to be applied, was not calculated for an effective reduction of debt. We had, since the year 1816, had 9,000,000*l.* of surplus, and no reduction of debt; and indeed the experience of the last thirty years clearly proved, that we had no effective sinking fund. As far as a sinking fund went, he thought the plan of the hon. baronet a sound and just one; for it would tie it up from the hands of ministers, who had already abused it. A great objection to the bill was, that it would, to a certain degree, prevent the remission of taxes.

Mr. *Baring* said, he had some difficulty as to the vote which he should give on this occasion. He was favourable to the principle of a sinking fund, but he could not see the justice or policy of making that sinking fund appear more than it really was. It was now admitted, that we had only a sinking fund of three and not one of five millions. This plan was not the offspring of the present chancellor of the exchequer. It had a nearer relation—his predecessor in office—who had left the child at his door, and he believed the right hon. gentleman would be much obliged to the House if it would enable him to throw the baby, basket and all, into the river. With respect to the plan of the hon. baronet, he thought it would not have been a bad one, if it had been applied to the reduction of the 5 per cents last year; but it could not be applied to the 3 per cents without the consent of the holders of stock; which could not be well calculated upon, because there would be a difficulty of selling the new stock in the market. In order to encourage purchasers, some advantage must be held out; and, in that case, less money would be obtained than if government laid out its stock otherwise. But suppose some advantage gained by it, would it not be counterbalanced by the loss of that simplicity in the public accounts which was so desirable, but which could not be continued in the new plan? He did not wish to see the bill pass in its present complicated form. If the motion was negatived, he would then take the sense of the House on limiting the sinking-fund to three millions; and then he hoped the chancellor of the exchequer would be prepared to give up altogether, or defend, the child of his predecessor. It was true that, besides the three millions, the public had a beneficial interest in the life-annuities for 45 years, which would be increasing yearly; and he had no objection to a value being set upon it, even of the sum stated; but he could not consent to see it now made that which it was not in reality—a surplus which should be calculated upon as real sinking fund.

Mr. *Huskisson* observed, that he had not said, that we had only three millions applicable to the debt, but that we had only an excess of three millions of taxes paid into the exchequer; but he did say, that if the proposed plan were adopted, we should have a sinking fund of five millions.

Mr. *Ricardo* said, that he felt great delight at the admissions which had at length been made, as to the real amount of the sinking fund now in the exchequer. That pleasure, however, was somewhat qualified, by finding that the House was now called upon to augment this real sum of three millions to the sum of five millions. The chancellor of the exchequer, a few evenings ago, had said, that he did not think there was any hocus pocus in his plan. The House, after that declaration, could scarcely expect to be called on to vote that there was at present a surplus of five millions. An act of parliament could not create a surplus where it was not. As to the objection which had been made against the plan of the hon. baronet, that it might not be agreed to by the holders of the 3 per cents, it had much weight. The plan of the hon. baronet did not presume any such consent. He only proposed, that a trial should be made whether or not the public would consent to it. He proposed to convert a certain sum, say 50,000,000*l.* from 3 per cents to 4 per cents. Why should not ministers try the experiment? The public opinion would thereby be ascertained. They did not want grounds for estimating the probable event of that plan. There were then long annuities in the market, of which 37 years remained unexpired. Taking them at 4 per cent at 19 years purchase, they would be worth 75 or 76. If ministers, therefore, could go to market to sell the 4 per cent annuities at 37 years for 76, they might buy 100*l.* three per cents at less than 76. It was said, that we had reduced 24 million of debt since 1816. Any one would imagine, in the way this was put, that the reduction was the effect of the sinking fund. It was no such thing. The reduction was occasioned by changing one kind of stock into another. We thus lessened the capital, but we did not diminish the charge; except to a very trifling amount. He would prefer being without any sinking fund, to one upon the plan now proposed; and he was sure, that if we were, public credit would not suffer. He would therefore support the amendment, and if that were negatived, then he would support the proposition of his hon. friend (Mr. Baring.)

Mr. *Ellice* thought there was much inconsistency in the measure before the House. He did not see how he could vote against the bill, seeing that it got rid of the old machinery of the sinking fund, which was so objectionable; at the same time, he did not wish to support that part of the plan, which presumed a surplus of two millions where it did not exist. The best way would be to postpone the measure for six weeks.

The House divided on Mr. Bennet's Amendment: Ayes, 59; Noes, 109.

List of the Minority.

Abercromby, hon. J.
Althorp, visc.
Barrett, S. M.
Benyon, B.
Bernal, R.
Birch, J.
Blake, sir F.
Boughton, sir W.
Browne, Dom.
Calcraft, J.
Calvert, C.
Campbell, W. J.
Creevey, T.
Davenport, D.
Denison, W. J.
De Crespigny, sir W.
Duncannon, visc.
Dundas, C.
Fergusson, sir R.
Foley, J. H. H.
Guise, sir W.
Hamilton, lord A.
Hill, lord A.
Hughes, W. L.
Hurst, R.
Hutchinson, hon. C. H.
James, W.
Jervoise, G. P.
Lamb, hon. G.
Lambton, J. G.
Lemon, sir W.
Lennard, T. B.
Lethbridge, sir T.
Leycester, R.
Lushington, S.
Leader, W.
Maberly, J.
Macdonald, J.
Marjoribanks, S.
Monck, J. B.
Normanby, visc.
Ord, Wm.
Pares, T.
Price, Robt.
Poyntz, W. S.
Pym, F.
Ridley, sir M. W.
Robarts, G. J.
Robinson, sir G.
Sefton, earl of
Smith, W.
Sykes, D.
Talbot, R. W.
Tierney, right hon. G.
Titchfield, marquis
Webb, E.
Wilson, sir R.
Wood, M.
Wyvill, M.

TELLERS.

Hume, J.
Bennet, hon. H. G.

PAIRED OFF.

Anson, sir G.
Burdett, sir F.

On Mr. Baring's amendment, to leave out the words "five millions," in order to insert "three millions," the House again divided: Ayes, 72; Noes, 100. The bill was then read a third time, and passed.

FOUR AND A HALF PER CENT LEEWARD ISLAND DUTY.]—On the order of the day for going into a committee of supply,

Mr. *Creevey* said, that understanding that when the Speaker left the chair, it was the intention of the hon. gentleman opposite to bring forward the ordnance estimates, he should take the opportunity of calling the attention of the House to a point very intimately connected with them. Gentlemen would have observed, that in those estimates there was an item of 24,412*l.* for the erection and repair of fortifications and other public works in Barbadoes. As it had repeatedly fallen to his lot to call the attention of the House to this subject, he should confine himself on the present occasion to a repetition of the main facts and arguments which he had formerly advanced, and should leave it to the House to judge, whether it was right to ask the impoverished people of this country to grant a sum of money for this item, when a fund existed that was specifically applicable to it, and that could not be diverted from it, except by a breach of trust and a positive violation of the law. It was well known, that in 1663, the colonial legislature of Barbadoes passed an act, by which it was enacted, that for the purpose "of maintaining the reparation of the forts, the building of a sessions house and a prison, and all other public charges incumbent on the government there, an impost or custom upon all dead commodities of the growth of the said island, and to be shipped off the same, should be paid to his majesty, his heirs and successors for ever, after the following rate or manner—that is to say, four and a half in specie for every five score." Now, it clearly appeared from this enactment, that the duties raised in consequence of it, were applicable to the repair of forts and public works, and to no other object. The duties for some time were applied to the purposes for which they were granted; but, somehow or other it happened, that before the close of the reign of Charles 2nd, they began to be considered as a part of the small private revenues of the crown, and to be used for defraying the expenditure of the royal household. The error which was thus committed was, however, corrected early in the reign of queen Anne. When she came to the throne, a petition was presented to the House of Commons, from the planters of the island of Barbadoes, stating the original act of 1663, and the misapplication of the fund created by it, and praying, at the same time, for the restitution of it to the original purpose; and this petition being taken into consideration by the House of Commons, hey presented an address to her majesty, praying that these duties might be appropriated to the purposes for which they were originally intended; and in answer to that petition, her majesty informed the House, by a special message, that she would issue the necessary directions to carry the prayer of its petition into effect.—The hon. member then read the address of the House and her majesty's answer to it. By an act passed in the first year of queen Anne's reign, for the settlement of her revenue, these duties were excepted out of the act. Why, then, was the country to be called upon to provide for fortifications, for which there already existed a fund specifically applicable? These funds were now applied to the payment of certain pensions granted to ministers and their dependents in this country; and the first ground of defence which had been formely urged for them by the right hon. knight of the Bath (sir C. Long), who was himself a pretty large pensioner upon them, was, that when his late majesty came to the throne, and a new arrangement was made with him, by which 800,000*l.* a year was granted him to meet the expenses of the civil list, on his giving up to the nation his hereditary revenues, the act which ratified that arrangement, and contained a list of those revenues which his majesty gave up, did not contain any mention of this branch of them. Why, how could it contain any mention of it? The funds in question had been given up long before; and therefore it would have been absurd and useless to have said any thing about them in that act. The second ground on which the right hon. knight of the Bath had rested his defence of the present application of the fund to the payment of his own and other pensions, was, that very great and illustrious characters, such as lord Chatham and Mr. Burke, had not disdained to receive them from the same quarter; and, therefore, that there was nothing wrong in his being one also. That mode of reasoning, if indeed it deserved the name of reasoning, had never been heard in any other place except in that House. What would the courts of law say to any man, who, being sued for wrongful holding of another man's estate, should attempt to defend himself by declaring, that he was not the only person who held an estate by such an illegal tenure—that there were great men, my lord A. and Mr. B. for instance, who had, each of them, possession of a larger property by the same kind of fraud; and that, as such was the case, there could be no harm in his refusing to give up the property which he had so acquired? The man who used such language in a court of law would not be listened to for a moment; and, if he was not treated as an idiot or madman, might think himself very well treated indeed. He should ever contend, that unless better argument was employed, than any which he had yet heard from the advocates of this pension fund, the fund ought not to be used for the purposes to which it was now applied. The House had not long since, in its pure love of justice and morality, as it would appear, passed an act of parliament, creating a commission, with no other object than to inquire into such breaches of trust as had been made in the various private charitable endowments and institutions in this country. Why, was there ever such a barefaced exhibition of cant and hypocrisy as this? To be gratuitously hunting after breaches of trust, by persons who might be *bonâ fide* ignorant of the conditions annexed to their estates by the original founders, and yet wilfully to shut our eyes to this open breach of a trust, created specifically and publicly by law, and when the breach or diversion of the funds was made expressly in favour of our own members. After reading the preamble in question, the hon. member proceeded to observe, that the application of the 4½ per cent duties, from the repair of the fortifications in Barbadoes, the only object which was contemplated by the grantees of them, to the payments of pensions in England (an object of which they had never so much as dreamed), was as gross a breach of trust as any that he ever recollected to have heard or read of; and that the House was bound to remedy it immediately, if it did not wish to be deemed guilty of a mere affectation of morality; for in this case they had a positive law, as clear and distinct as law could be, specifically applying the monies which it gave authority to levy, to certain fixed and definite purposes. To those purposes they had now for many years ceased to be applied; and yet, though they had been called upon repeatedly to put a stop to the shameful practice by which they were misapplied, they had shown no desire to amend the breach of trust which he had so often reprobated before them. They were bound to amend it, not less by the regard which they ought to feel for their character as a body, than by that which they ought to feel for their honour as individuals. The case was of the most clear and irresistible nature; and sure he was, that it could not fail in any other place than in the House of Commons; and that it could only fail there, because its members were not the real representatives of the sentiments of the country. After reminding the House of lord Clarendon's declaration, that the people's affections did not begin to be alienated from Charles 1st until they saw the judges acting corruptly in questions of property, so he said in this case, as long as the House should continue in its course of diverting the fund from its public purpose to their own individual advantage, so long would the affections of the people be more and more alienated from that assembly, and more deeply impressed would they become, that it had no pretension to be considered as the real repesentatives of the people. The hon. member concluded with moving, "That it appears to this House, from the estimates laid before it, for the service of the Ordnance, for the present year, there is a sum of 24,412*l.* for erecting and repairing fortifications in the Island of Barbadoes.

"That by an act of the colonial assembly of Barbadoes, which was passed in the year 1663, it was enacted, that, for the purpose of 'maintaining the reparation of the forts, the building of a sessions house and a prison, and all other public charges incumbent upon the government there, an impost or custom upon all dead commodities, of the growth of the said island, and to be shipped off the same, should be paid to his majesty, his heirs and successors for ever, after the following rate or manner, that is to say, four and a half in specie, for every five score.'

"That it further appears, from the Journals of this House, that in the first year of the reign of her majesty queen Anne, a petition was presented to it from the planters and merchants concerned in the island of Barbadoes, setting forth the colonial act of barbadoes before referred to, and praying 'That the said duty of four and a half per centum might be applied to the reparation and building of fortifications, and defraying all charges incident to the government there, as the same was originally intended, instead of being diverted to other purposes, as the same then was:' and that, in consequence of such petition, this House did address her majesty queen Anne, praying that this duty might be restored to the purposes for which it was created by the colonial act of Barbadoes; and that this House was informed, by a message from her majesty, that she would give such directions accordingly.

"That, notwithstanding such specific application of this fund, by the colonial act of Barbadoes, to the building and repairing of fortifications in that island, and notwithstanding the recognition of that law by this House, and by her majesty queen Anne, this fund is now for the most part consumed by pensioners in this country, including even members of this House, or their families; whilst the fortifications and other public works of Barbadoes are left to be maintained by money raised from taxes on the people; and that, under all the circumstances above stated, and adverting likewise to the afflicting condition of a great portion of these kingdoms, this House considers it to be alike due to its own character and to the feelings of the people, humbly to request his majesty to give directions, that this fund of four and a half per centum, in the island of Barbadoes, may be again restored to the original purposes for which it was created."

Mr. *Ward* said, it was an error to suppose, that the sum mentioned in the ordnance estimates, was for the erecting and repairing of any buildings to which the act of the colonial assembly could be applied. Not one penny of the ordnance grant in question went to defray the expense of buildings provided for by the act of the colonial assembly. The buildings mentioned in this act were a council-house, a chamber, a session-house, and a prison. But the sum in the ordnance estimate was required for repairing the ordnance wharf, for building storehouses, and other similar purposes, never contemplated at the time of passing the act of the colonial assembly. Various expenses were incurred by government at Barbadoes, in consequence of making it the head quarters; distinct from any expenses the colonial assembly had contemplated; and to cover these, the grant in question was to be applied.

Mr. *Hume* said, that the act of 1663 was a kind of commutation, to enable the king to maintain the public works before kept up by the inhabitants. No time could be more proper than the present for bringing this subject under the notice of the House. If the people were to be continually burthened by new charges, when the expenses were already provided for by the colonies, there was no extravagance to which the House might not go. It would be better for England to be destitute of colonies, than to be subjected to the enormous expense entailed on us by them. They were a mere drain on the country.

Sir *Charles Long* said, that the act of the colonial assembly did not contemplate the present expense. The object of that act was merely the defence of the island. Since then a naval arsenal had been established; the expense incurred by which, could not be provided for out of the 4½ per cent fund. The 4½ per cent duty was given to the king for confirming titles to estates, and in consequence of his relinquishing another duty, without annexing any conditions to giving it up. In the same year, the islands of Nevis, Montserrat, and St. Christopher made similar grants to the king, without any condition whatever. In the reign of king William, lord Somers had consented that the duty in question should form part of the civil list. What queen Anne had done, on the petition of the inhabitants of Barbadoes, was all matter of grace. For a century, the proceeds had been applied as at present, and accounts laid annually before the House. Mr. Burke, when he regulated the civil list, had expressly taken this fund into his consideration. It was misleading the House to say that the money was appropriated by stealth, and that the public knew nothing of the mode in which it was expended.

Mr. *Bernal* said, it was absurd to contend, that the fund had not been diverted from its original purpose. He denied that the 4½ per cent was granted for any purpose but to defray the public charges of the island. The fund had been extorted from the inhabitants of Barbadoes; and, though continued for a century, it was still nothing but extortion. It was not possible to read the act, and say that 24,000*l.* would not be saved to the people, if the duty were properly applied.

Mr. *Wilmot* said, that the argument of the hon. gentleman proved too much. If it were true, that the 4½ per cent duties had been extorted, they ought to be restored unconditionally; but still it would be necessary, that the House should vote the 24,412*l.* for the maintenance of the public works. The precedent for the present application of the fund was of a hundred years standing, and was not to be overturned because gentlemen talked of reform, and the danger of driving people to distraction by excessive taxation. Would the hon. gentleman say, that in 1660, the present circumstances of Barbadoes could have been foreseen? Was it then known that its geographical situation would make it the head quarters of all the forces stationed in those islands? The gentlemen opposite contended, that every island ought to support itself. Would they assert, that Barbadoes ought to pay expenses incurred for the general benefit? The sum stated in the estimate was to cover expenses not provided for by the act of the colonial assembly.

The House divided: For Mr. Creevey's Motion, 56; Against it, 80. Majority, 24.

List of the Minority.

Abercromby, hon. J.
Althorp, visc.
Benyon, B.
Bennet, hon. G.
Birch, J.
Blake, sir F.
Browne, Dom.
Calcraft, J.
Campbell, W. F.
De Crespigny, sir W.
Denison, W. J.
Ellice, E.
Farquharson, A.
Fergusson, sir R.
Guise, sir B. W.
Gaskell, B.
Hume, J.
Hurst, R.
Hobhouse, J. C.
Hamilton, lord A.

Jervoise, G. P.
James, W.
Knight, R.
Lewis, W.
Leycester, R.
Lambton, J. G.
Lamb, hon. G.
Lennard, T. B.
Marjoribanks, S.
Normanby, visc.
Newport, rt. hon sir J.
Ord, Wm.
Philips, G.
Philips, G. jun.
Price, R.
Pym, F.
Poyntz, hon. Wm. S.
Pares, Thos.
Robinson, sir G.
Ricardo, D.
Ridley, sir M. W.
Rice, T. S.
Smith, G.
Sykes, D.
Scott, James
Titchfield, marq.
Tierney, rt. hon. Geo.
Wood, alderman
Warre, James A.
Wharton, John
Wyvill, M.
Webbe, E.
Williams, W.
Wilson, sir R.

TELLERS.

Creevey, T.
Bernal, R

ORDNANCE ESTIMATES.]—The House having resolved itself into a committee,

Mr. *Ward* said, that before he moved the Ordnance Estimates in the order in which they were usually voted, he should merely observe, that there was a diminution of expenditure in every item except one, in which there was an increase of 776*l.* beyond the sum voted last year. He should confine himself, at present, to stating the several items, with the amount of diminution. In the ordinaries the sum was 460,334*l.*, being 13,102*l.* less than the sum voted last year. The extraordinaries were 269,464*l.*, being 23,279*l.* less than last year. Under the head of unprovided, there was a small increase of 776*l.* Under the head of superannuated military, the sum was 318,152*l.*, being 1,599*l.* less than last year; under that of superannuated civil, the sum was 50,074*l.*, being 1,478*l.* less than last year. For Ireland, the sum was 90,313*l.*, being 6,316*l.* less than last year. The whole sum required, was 1,199,000*l.*, being 45,000*l.* less than last year. From this sum there were to be deducted 38,000*l.* small savings upon various items of the extraordinaries for 1820 and 1821, and 91,000*l.* for the presumed sale of old stores, land, &c., making a total of 129,000*l.*, being 85,000*l.* more than the credit for last year; and the sum to be voted this year was, therefore, 130,000*l.* less than the total of last year. He then moved, "That 48,027*l.* be granted for the expense of the Establishments at the Tower and Pall-mall."

Mr. *Hume* declared, that a reduction of 4 per cent upon the whole cost of the ordnance department was not such as the country had a right to expect. With respect to the grant before the House, he objected that arrangements, so long since recommended by the commissioners of military inquiry, had not yet been carried into execution. As for the board of ordnance, he looked upon it to be quite as great a fallacy as the sinking fund; nor did he see any symptoms of a return to the standard of 1796. What could be the use of separating the two establishments of the Tower and Pall-mall, when a considerable saving might be effected by uniting them? Why should twenty persons be employed as porters, door-keepers, or messengers? He objected to the great freedom used in giving gratuities, often equal to the amount of the salaries received.

The resolution was agreed to. On the resolution, that 7,025*l.* 6*s.* 11*d.* be granted for the Civil Establishments at Woolwich,

Mr. *Hume* objected to the unnecessary expense of the establishments at Waltham Abbey and Faversham, which had cost the country 150,000*l.* in the last ten years, and where little or no gunpowder had been manufactured. The inspector of gunpowder had been appointed since the peace, and lived at Faversham, where no gunpowder whatever was made.

Mr. *Ward* said, it was true that the manufacture of gunpowder was no longer carried on at Faversham; but that establishment was continued because there were facilities at Faversham, which there were not at Waltham Abbey. The reason why the inspector lived at Faversham was, that there was a house at that establishment, and not at Waltham Abbey. With regard to the laboratory, he thought that the House would not object to the trifling expense of that establishment, while there was a prospect of accomplishing the ingenious projects which his hon. friend (sir W. Congreve) had conceived, of regenerating damaged gunpowder, in all cases in which it had not come into contact with sea-water.

Mr. *Hume* said, it appeared to be the system that, in every place, the clerks and officers should get palaces, without regard to the expense which they cost; and, unless the House should compel them to sell off the whole of these unnecessary palaces, such would continue to be the system. He had in his hand a list of no fewer than 485 of these houses.

On the resolution, "That 241,235*l.* 8*s.* 5*d.* be granted for the Royal Regiment of Artillery," Mr. *Hume* said, he would not repeat the objections he had offered last year to this item of charge: but should move, as an amendment, that the sum be reduced 15,000*l.*

Mr. *Ward* adverted to the inexpediency of lessening the number of such a corps of officers as the artillery, who were obliged to go through a regular course of education and science to qualify them for their profession. He had the authority of the duke of Wellington against any reduction of officers.

Mr. *Hume* said, he attached no importance to what the duke of Wellington might say on such a subject. The noble duke had said, that there was not a man more than was necessary for the service; and yet, notwithstanding this declaration, he had discharged to the right and left. He would not give a fig for such authority. He did not propose, by the present reduction, to deprive the regiment of either men or science. He merely proposed to effect a saving, by a different mode of brigading.

Mr. *Ward* said, the noble duke had stated, that he could not do with a man less on the then estimates; but had added, that he had prospective views of reduction. These views he had since carried into effect.

The committee divided: For the Amendment, 30; Against it, 69.

List of the Minority.

Bennet, hon. H. G.
Bernal, R.
Blake, sir F.
Browne, D.
Caulfield, hon. H.
De Crespigny, sir W.
Denison, W. J.
Duncannon, visc.
Evans, W.
Farquharson, A.
Guise, sir W.
Hume, J.
Hobhouse, J. C.
James, W.
Jervoise, G. P.
Lamb, hon. G.
Lambton, J. G.
Leader, W.
Monck, J. B.
Poyntz, W. S.
Robarts, G. J.
Robinson, sir G.
Scott, J.
Smith, W.
Warre, J. A.
Webb, E.
Whitmore, W. W.
Williams, T. P.
Williams, W.
Wyvill, M.

TELLER.

Ricardo, D.

On the resolution, "That 6,937*l.* 5*s.* 9*d.* be granted for the Medical Establishment," Mr. Hume objected, that there were no duties to require the services of a director-general at 3*l.* a day. He therefore proposed to strike off 1,095*l.* from the vote. On this the committee divided: For the Amendment, 27; Against it, 66. The other resolutions were agreed to without a division.

HOUSE OF COMMONS.

Tuesday, March 18.

King's Library.]—The *Chancellor of the Exchequer* said:—In pursuance, Sir, of my notice, I am now about to submit to House a motion respecting the noble and munificent gift which his majesty has, with so much liberality, presented to the nation; and I feel that if, in doing so, I were to enter into any length of detail, I should do but little credit to the grace and dignity with which the present has been made. It is a donation which, I am satisfied, every man in this House, and in the country, will feel to be of the highest importance. If, indeed, there be any person—and I do not consider it possible that there can be—who may think that there is no connection between the literature of the country and its general well-being—to that person, undoubtedly, the grant, or the possession, of so valuable a library as that to which my motion will refer, will be a matter of no sort of interest. But by those who take a more enlarged view of the subject—by those who think that there is an intimate connexion between the literature and the morals of the country—by those who think that there is an analogy between a love of letters and a love of freedom—it is impossible that this transaction should not be regarded with feelings of the deepest interest. This library, Sir, which it has been his majesty's pleasure to give to the nation, was collected by his late venerated father, during the course of a long and exemplary life; and although, perhaps, the circumstances which attended his youthful education, and the fact of his having been at so early a period oppressed with the cares of royalty, might reasonably seem to have precluded him from applying himself to objects of this kind; yet it is, I think, on these very accounts, the more honourable to the character of his late majesty, that, from his accession to the throne, down to the unhappy moment in which, by one of the most calamitous visitations of Providence, he was deprived of the means of pursuing any object relating to his own benefit or to the good of his people, he employed himself actively, zealously, and carefully in forming this collection. But, if it is surprising that his late majesty, under such circumstances, should so have occupied himself, it is not surprising, I conceive, that his present majesty, influenced by that finished taste, that love of science, that enlarged and liberal spirit, that disinterested generosity which belong to him, should have applied himself, upon becoming possessed of this most valuable treasure, to consider in what way his people would be likely to derive from it the greatest benefit. If his majesty had chosen to consult merely his own gratification, or his own taste, he would obviously have retained this admirable collection in his own hands: and it would have constituted in his palace, or in that of his successors, one of the most distinguished ornaments. But his majesty has considered, that a much more noble object would be attained, if this library, instead of being confined to his own palace, should be placed at the disposal of parliament, for the benefit of his people. His majesty, therefore, has proposed, that this library should be placed at the disposal of parliament; and it now becomes necessary for me to suggest to parliament the best means for its disposal. I think, then, that under all the circumstances of the case, we cannot do better than confide the custody of this most important collection to the British Museum. At all events, it would be a very desirable object: and I believe it to be an object, also, which his majesty has very much at heart, that it should be kept distinct and separate from any other. Such an arrangement, indeed, we owe it to his majesty's father who collected, and to his majesty himself who has given these books, to make. I think it would be unjust, if we were to suffer the collection to be mixed with any other of the same kind; while it seems to me most desirable, both on general considerations and in a pecuniary point of view, that it should be deposited in the British Museum; for this library of the late king's, though possibly not the most valuable in existence, is unquestionably the most valuable, as the collection of a single individual, that ever did exist; and I believe that, if to this library be added that which is already possessed by the British Museum, increased as it will very shortly be, by the library of the late sir Joseph Banks, there will be contained under one and the same roof, a library, without all question, the finest in the world. It will be most advisable, therefore, I imagine, to intrust the collection in question to the guardianship of the British Museum. At the same time, it is possible, that if we should appoint a committee for the better consideration of this subject, some suggestion which it may be more expedient to adopt than the one I now throw out, may be proposed. I therefore move, "That the Papers relating to the Library which his Majesty has been graciously pleased to present to the British nation, be referred to a Committee, to consider the matter thereof, and to report their observations thereupon to the House."

Sir *C. Long* said, that the donation was unquestionably of the greatest value to the country, because, for its extent, it was the most complete library ever collected. It had been accumulated by his late majesty, during the whole course of his reign, and without any regard to expense. It had been collected under the direction of Dr. Johnson, who had laid down the plan for its formation, and which plan had been followed as closely as possible. Having had communications with his majesty on the subject, he was enabled to say, that his majesty earnestly wished that the public might have the freest access possible to this library, limited only by such regulations as were necessary for the safety and preservation of the collection. His majesty had also another and a very natural wish, that as the collection had been entirely made by his late father, it should be kept separate and distinct. Having had frequent opportunities of inspecting this library, he was bound to say, that he believed there never was a library so complete in its arrangements, with catalogues so admirably framed, and in every respect so well calculated to afford the means of ready reference. He thought it right to mention this fact, because it did the greatest credit to the persons under whose care it had been placed. He was perfectly sure, that the union of this library with that of the British Museum and the library of the late sir Joseph Banks (which, although small, was perfect in one branch of literature), would constitute the finest library that existed in Europe. He had the gratification also to say, that it was his majesty's intention to add to the donation a most valuable collection of medals, formed under the superintendance of himself and of his late majesty. To his knowledge, his majesty had been a most liberal patron to the fine arts. By the present splendid gift he would show himself an equally zealous friend to science and literature. He was sure, therefore, that all who heard him would agree, that by his conduct on this occasion, his majesty had entitled himself to the thanks and gratitude of the country.

The motion was then agreed to.

Repeal of Assessed Taxes.]—Mr. *Maberly* rose to submit the motion of which he had given notice. He feared that the time which had elapsed since that notice, and the repeated discussions which had taken place in the interim, upon the bill of the chancellor of the exchequer, had greatly prejudiced the chance which his (Mr. M.'s) motion might possess of adoption by the House. This great question had, indeed, been prejudiced; but although the chancellor of the exchequer's bill had passed, it did not therefore follow, when he came forward to ask for the repeal of certain taxes, that he was to be denied, on account of the passing of that bill. That bill did, in fact, contain a clause, by which the House was enabled, during the present session, to alter, repeal, or amend it. It was needless for him to say, that he disapproved of that bill; but in the argument which he was about to bring forward, he should take the saving to be, as the right hon. gentleman had thought proper to put it, five millions. The chancellor of the exchequer had admitted, that it was expedient to reduce taxation; to repeal, in fact, the very species of taxes which he was now about to require the House to do. The great question between himself and the right hon. gentleman was this—Whether, under all the circumstances of the case, the proposition now to be submitted to the House was more likely to benefit the country generally, to support public credit, and to maintain national honour and dignity, than the proposition of the right hon. gentleman. He confessed, that he thought the mode in which he should propose to support public credit, and enable government to reduce taxation, would have a much more beneficial effect than the plan suggested by the chancellor of the exchequer; because it would give a much greater relief to the people. Now, before he stated to the House the taxes, the repeal of which he intended to propose, he would take a short view of the financial state of the country. That would enable them to ascertain whether they could with safety, and with advantage to the country, repeal the whole of those taxes, the repeal of only part of which was proposed by the right hon. gentleman. He would first acknowledge, for the argument's sake, that the surplus disposable income was, as the right hon. gentleman had described it, 5,000,000*l.* He would then advert to the proposition to which he had alluded the other evening; namely, the sale of the land tax, a proposition against which he had not heard a single substantial argument. He was himself thoroughly persuaded, that no better measure could be adopted. It had been first suggested by Mr. Pitt, for the support of public credit, and the reduction of the public debt; and he was not to be diverted from the plan by the hon. member for Taunton having called it "a bubble." He must say, that he thought that a very coarse and unfair expression. If it was a bubble, it was a bubble originally proposed by Mr. Pitt: it was a bubble which had been carried on, to a certain extent, to the present hour; and all that he desired was, to make it more efficient for the public benefit than it had hitherto been. In the first place, and for the first year, he took the surplus of income at 5,000,000*l.*: he supposed a sale of the land tax to the extent of another 5,000,000*l.*, and he calculated the extra revenue arising from the reduction of 3,200,000*l.* taxes at 400,000*l.* In this last calculation he was borne out by the right hon. gentleman, who had allowed, that a repeal of taxes must necessarily improve the remaining revenue. Those three items together would make a sum of 10,400,000*l.* applicable either to the repeal of taxes, or to the reduction of the debt, or to both purposes. The mode in which he proposed to deal with that 10,400,000*l.* was to repeal assessed taxes, to the amount of 3,200,000*l.*, and thereby, in the first year, to leave a balance of 7,200,000*l.* applicable to the redemption of debt. He trusted that no one would deny the practicability of such a sale of the land tax. He was convinced it was so saleable, that it would be easy, in the course of two years, to sell as much as would redeem 41,000,000*l.* of debt. But, he would only take 5,000,000*l.* for the first year. That would leave a balance of 7,200,000*l.* to redeem debt, after the repeal of taxes to the extent of 3,200,000*l.* In the second year, there would be the balance fothe first year brought down, namely, 7,200,000*l.* In addition, he would make an extra sale of land-tax to the amount of 2,000,000*l.* He would also suppose, that the operation of purchasing so much stock, would enable government to reduce the 4 per cents, which would cause a saving of

750,000*l.* Gentlemen opposite might laugh at this; but for himself, he could see no difficulty in it. Thus it appeared that, in the second year, there would be a balance applicable to the redemption of debt of 9,950,000*l.* In the third year there would be this balance of 9,950,000*l.* to carry down. He also calculated that there would be an extra revenue from reduction of estimates and collection of revenue of 1,000,000*l.* more, making together the sum of 10,950,000*l.* applicable to the redemption of debt in the third year. In the fourth year, he would take the sum at the same amount. In the fifth year, a deficiency must be deducted of 2,000,000*l.* in the sale of land tax (approaching as that operation would approach, to its conclusion), from the balance of 10,950,000*l.* brought down from the fourth year, leaving a balance applicable to the redemption of debt of 8,950,000*l.* He now came down, in the sixth year, to that which, in his opinion, ought to be the eventual sinking fund. In the sixth year he would deduct a deficiency in the sale of land tax of 5,000,000*l.* from the balance of 8,950,000*l*, brought down from the fifth year, leaving a balance applicable to the redemption of debt of 3,950,000*l.*, the sum at which he would fix the subsequent sinking fund. The difference between his plan and that of the right hon. gentleman was this—that while the right hon. gentleman redeemed only 5,000,000*l.* annually during the whole period of six years, his (Mr. M.'s) plan would, in that period, redeem 62,000,000*l.* of nominal capital of debt, and would also annually repeal taxes to the amount of 3,200,000*l.* This was not a mere fancy; it was a plan which might be easily and effectually realized. He knew not whether ministers had made up their minds to sell the land tax; but sure he was, that it could not stand upon its present footing, unless they wished to have its profits swallowed up by its expenses. Whether they would apply its profits to the reduction of taxation was another question: it did not, at all events, appear that they meant to do so during the present year.—He would now state to the House the nature of the reductions which he was about to propose, and which, he would show, could be made without the slightest danger to the state. His first resolution would apply to that portion of the window tax which remained unrepealed; for he should consider the motion of the chancellor of the exchequer for a partial reduction of the window tax as passed. That tax amounted to 1,205,000*l.* It was not necessary to state the reasons which induced him to select the reduction of this tax, and the house tax. Both taxes were, in a partial degree, a property tax, and extended to a much greater degree, than members might at first suppose. He could not calculate to a certainty the per centage of the window tax, but he should estimate it at 20 per cent throughout the kingdom. He was in possession of a return for one parish, and according to that, the house and window taxes, taken together, would amount to 33 per cent. He would ask the House whether these taxes could be considered in any other light than as a property tax? What an outcry would be raised, if it were attempted to impose a similar tax upon the property of the landowner or fundholder! He was furnished with positive documents to prove the per centage of the house tax, and he could state that it amounted to 11½. A more impolitic or unjust tax he could not imagine, and therefore he would move for its repeal. The next tax which he would propose to abolish, was that upon male servants, including clerks, travellers, and shopmen. It appeared to him to be a partial tax upon labour. It would be said, that the tax was paid by the master. True; but would any man say that the master would not employ more servants, if there were no tax at all? It must be admitted, then, that the tax cramped labour; which it was not worth while to do, for the trifling sum derived from the tax. He next came to the tax upon four-wheeled and two-wheeled carriages, and coachmakers' licences. The tax upon carriages he considered extremely unfair. Not only was a tax paid upon the vehicle when it came out of the hands of the manufacturer, but an annual duty was entailed upon it as long as it was continued in use. It was said of this tax, as of many others, that it was paid by the consumer; but, in his opinion, it was a heavy burthen upon the manufacturer. The total amount of the taxes which were paid upon a carriage and three horses, attended by two servants, was 36*l.* 5*s.* 6*d.* The tax upon carriages was defended on the ground that it was a tax upon an article of luxury; but why did not the House, upon the same principle, impose a tax upon looking-glasses, some of which cost 2 or 300*l.*? Surely a looking-glass was more an article of luxury than a carriage. In fact, it was impossible to consider a carriage otherwise than as an absolute necessary to families of rank in this country. The tax on horses generally, including those employed by butchers and bakers, was one which he would endeavour to repeal. Nothing could operate so materially against consumption, as the tax upon horses. If persons were allowed to keep as many horses as they pleased without paying any tax, the consumption of agricultural produce would be increased to a great extent. The last tax which he would propose to repeal was the composition for the assessed taxes, amounting to about 35,000*l.* a year. He had now pointed out a way by which relief might be afforded to the people, without injury to public credit. No man could be more anxious than he was to maintain public credit; and if, in the plan which he had laid before the House, there was any thing opposed to that principle, he should regret it exceedingly. He did not intend to move for the repeal of the tax upon carts; for if his resolutions were not adopted, the chancellor of the exchequer would himself have an opportunity of proposing the abolishment of that tax, which pressed so heavily upon persons in a humble rank of life. The several taxes he proposed to repeal were as follows:—

The window tax..........	£1,205,000
The house tax	1,256,000
Male servants...........	159,500
Clerks, shopmen, travellers, &c..................	98,050
Four-wheeled carriages.....	145,000
Two ditto	98,000
Coachmakers' licences	3,000
Horses, riding and drawing	324,000
Ponies..................	9,100
Bailiffs' horses	1,050
Butchers' ditto	4,400
Horses and mules, at a lower rate of duty...........	72,500
The assessed taxes composition..................	35,000
Total..........	£3,410,600

The hon. gentleman then moved his first resolution, "That all duties on Windows imposed by 48th Geo. 3rd, and subsequent acts, should cease and determine."

Sir *W. De Crespigny*, in seconding it, mentioned the fact of an old lady having been frightened into fits at the sight of the window tax gatherer.

Mr. *Herries* said, that his right hon. friend, the chancellor of the exchequer, had so fully and so eloquently explained the nature of his plans, that it would be unnecessary for him, even were he competent to the task, to enter into a detail of those plans. The question now to be considered was, not what was the partial pressure of any tax, but whether, under all the circumstances of the case, we could afford to make any further reductions than those which had been already proposed. The hon. member opposite admitted the necessity of supporting a sinking fund, "but," said that hon. member, "if you will adopt my plan, you will have a more effective sinking fund than the one proposed by the chancellor of the exchequer." This he (Mr. H.) denied. On the contrary, he maintained, that the hon. member's plan would leave no sinking fund at all. If we saw in the country signs of distress—if we found a diminution in the consumption of articles of taxation—then we might begin to look about, and consider whether taxes so oppressive ought or ought not to be continued. But we had not arrived at that state. Every view which we took of the state of the country, gave ground for a contrary opinion. He did not mean to deny, that amongst some classes distress prevailed; but he contended, that the general state of the country was by no means such as could justify them in forsaking that system, which he considered necessary for the maintenance of the public credit. The hon. gentleman talked of the distress that prevailed. But what was the fact? Why, there was a considerable increase since the year 1817, of carriages, servants, &c. There was also an increased consumption of most articles. He, therefore, did not conceive that the House would be at all justified in adopting the proposition of the hon. member.

Sir *F. Blake* regretted that the National Debt Reduction bill should have passed the House. It appeared to him a singular inconsistency, that, after having admitted the true principle of a sinking fund to rest in a surplus of revenue, and after the admission that the present surplus did not exceed three millions, the House should have sanctioned a bill, which went upon the assumption, that we had a sinking fund of five millions. If he were asked what he would do with the surplus revenue, he would say, let it be applied to the relief of the people from a part of their grievous burthens, and to the restoration of that word which was now almost obsolete in the English language—"comfort." It was said, "Why trouble ourselves about the debt: let it alone; it will last our time." He, for one, did not think it would; but that some terrible convulsion would be brought about, if a timely remedy were not applied. He would say what that remedy was—and what it was not. It was not a fallacious sinking-fund, such as was now proposed; but it was a coming forward with a portion of our property, to preserve the remainder.

The House divided: Ayes, 48; Noes, 94. The other resolutions were negatived without a division.

List of the Minority.

Abercromby, hon. J.
Althorp, visc.
Belgrave, visc.
Benett, J.
Bennet, hon. H. G.
Bernal, R.
Birch, J.
Blake, sir F.
Boughey, sir J.
Bright, H.
Burdett, sir F.
Calvert, C.
Creevey, T.
Curwen, J. C.
Davenport, D.
Davies, T. H.
De Crespigny, sir W.
Denison, W. J.
Dundas, C.
Farrand, R.
Fergusson, sir R.
Folkestone, visc.
Guise, sir W.
Hamilton, lord A.
Hobhouse, J. C.
Hughes, W. L.
Hume, J.
Hurst, R.
James, W.
Johnstone, col.
Knight, R.
Keck, G. A. L.
Lambton, J. G.
Lethbridge, sir T.
Maberly, W. L.
Monck, J. B.
Moore, P.
Poyntz, hon. W. S.
Price, R.
Ricardo, D.
Robinson, sir G.
Scott, J.
Smith, W.
Sykes, D.
Webb, E.
Wharton, J.
Whitbread, W. H.
Williams, Owen.
Wyvill, M.

TELLER.

Maberly, J.

INSOLVENT DEBTORS' BILL.]—Mr. *Peter Moore* rose, for leave to bring in a bill for the repeal of the Insolvent Debtors' act. Of the evils occasioned by the act, no man could doubt, who was aware of the fact, that five farthings in the pound was the whole amount of dividend received from the estates of those who had taken the benefit of it. He might be asked, why he did not move to go into a committee upon the act, instead of moving to repeal it? There had already been 200 committees upon it; and the result which all of them had come to was, that they did not know how to remedy its evils. Even his noble friend (lord Althorp), who lived only to benefit mankind, would confess, that his object in passing this bill had been completely disappointed; for, instead of relieving the unfortunate debtor, it served to form the basis of a system of fraud, profligacy, and perjury, such as had never before been witnessed.

Lord *Althorp* could not agree to the repeal of these acts, unless a new act was brought in to remedy the evils which they were said to have created. He was surprised that the hon. member should have repeated the statement of five farthings in the pound being the whole amount of dividend received under the present acts. The return to which the hon. member alluded, was made under the act as it existed before it was amended. The present law was founded on a very salutary principle; but he would not deny that, in its details, it might require several amendments. He was, therefore, glad to hear, that the solicitor-general had pledged himself to take it under his consideration. He wished the House would compare the law as it now bore upon insolvent debtors, with the one which had formerly existed regarding them. Formerly, the creditor might imprison his debtor for life, and the imprisonment served as a discharge for the debt. The consequence was, that the gaols became filled by degrees; and acts were constantly passed to empty them. He was of opinion that, under the present law, the confinement was not long enough. He likewise thought that it would be a considerable amendment of the present system, if a power were given to a certain number of creditors to object to an insolvent's discharge.

Mr. *Wynn* said, that when the small sum recovered from insolvents under the present act was spoken of, they should consider what would have been the sum recovered if the present law had not passed. Under the old system occasional insolvent acts were passed by which the gaols were emptied of debtors without any examination; so that the practice was constantly resorted to by the debtors of suffering a mere simulated confinement, in order to get rid of the claims of their creditors. He was glad the solicitor-general had undertaken the amendment of the act; as he could by no means agree to abandon the principle of it.

Mr. *Abercromby* was convinced, that no one who was acquainted with the ancient law on this subject, would assent to the motion. He was, however, free to confess, that the existing law stood in need of amendment, and that the House was bound to provide some improvement of it, by which equal justice might be done both to the debtor and to the creditor. The House, after having so often heard the statement, that only five farthings in the pound had been received from the estates of insolvent debtors, would be surprised to learn, that there was now 10,000*l.* in the hands of the assignees of the insolvent court, which nobody had come forward to claim. The reason of this might be, that the dividends in question were so small as not to be worth claiming; and that circumstance might arise from most of the parties who took the benefit of these acts being in reality insolvents. He was convinced the salutary principle of this bill would in time be fully recognized by the people of England. He felt that conviction from knowing, that in Scotland, where the law of debtor and creditor was much more lenient than it had ever been in England, the *cessio bonorum* was a measure to which the people had clung with great tenacity.

Mr. *Hobhouse* hoped his hon. friend would withdraw his motion. It had been stated, that there was 10,000*l.* now lying unclaimed in the hands of the assignees of the insolvent court. He did not think this circumstance very singular, when he recollected that the sums claimed were millions, and the dividends unclaimed only as many thousands. Besides, the insolvent court was a very expensive one. The fees levied in it absolutely swallowed up all the property that came into it. A paper had been put into his hands by one of his constituents, who had unfortunately come into the insolvent court. His creditors were, however, so satisfied with his conduct, that they consented to his discharge, after the ordinary forms had been gone through. He was accordingly discharged; but a paper had just been delivered to him in regular form, in which he was made the debtor of the attorney of the court for the sum of 42*l.* 1*s.* 10*d.*; the consequence of which was, that notwithstanding the clemency of his creditors, he expected to be arrested to-morrow at the suit of the attorney. Among the items of the bill were—"Attending, taking instructions for your schedule, 6*s.* 8*d.*;"—"Drawing same, 10*l.* 10*s.*;"—"Fair copy of schedule, for your own use, 3*l.* 10*s.*" He did hope, that when the solicitor-general amended this act, he would do something to remedy abuses like these.

Sir. *R. Wilson* said, that though his constituents had met to consider of these acts, there was not one of them who had held up his hand for the repeal of the principle on which they were founded.

Mr. *Bright* thought that some means might be found of conciliating the principle of the Insolvent acts, with security to creditors. Imprisonment, for example, might be proportioned to the amount of the debt: a long period might be awarded for a large debt, and a smaller period for smaller debts. The principle of the *cessio bonorum* was good; but the attempt to enforce it, had failed. The objection of the commercial part of the world was, not that the law was bad, but that it was inefficient, and that it encouraged fraud. He was of opinion, that the *Habeas Corpus* should be taken away, in order that the debtor might continue imprisoned in the neighbourhood where his character was known. Debtors ought not to be allowed the rules of the prisons before they appeared to take advantage of the act; and when remanded, they ought to remain in the power of the court, without any creditor being able to grant a discharge. The system of appointing assignees was complicated, and required revision. There was also a species of fraud now prevalent; namely, accommodation bills. The court should be instructed to judge of this species of fraud in insolvents; or some other court should be appointed for this purpose.

Mr. *Sykes* said, the question was, whether the Insolvent act should be totally repealed, or only amended. He was in favour of the latter. He complained that the provisions of the act before magistrates in the country were executed in a very loose way. The debtor was discharged almost without inquiry, as opposition was ineffectual.

The *Solicitor General* said, that the feeling of the House was clearly in favour of the principle of the bill. If, however, the motion of the hon. gentleman were carried, the future effects of an insolvent would not be liable to his creditors, because that provision of the existing law would be repealed. Besides, every individual discharged, and now able to plead the statute in answer to a renewed claim, would be deprived of that protection. A difficulty would also arise, as to the property of insolvents now in the hands of assignees. These observations showed, that the repeal was impossible; and, as to the necessity of doing so, it was to be recollected, that in any new measure many of the present provisions must of course be revived. The only practicable method was, for a number of competent individuals, in the first instance, to investigate the defects of the present bill. In the petitions upon the table he had looked in vain for any useful suggestion; and on inquiry how the insolvent law stood in Ireland, he was told that neither debtor nor creditor had reason to complain. On looking at the acts, therefore, for the two countries, he was surprised to find that they were in all respects similar. With regard to the evils growing out of the present law, he was satisfied that, though some might exist, they had been very much exaggerated. His principle was this—that where a debtor had conducted himself fairly and honestly, without incurring claims he had no prospect of satisfying, that he ought not to be subjected to imprisonment—all his future property should be liable, but his person ought to be free. That principle he could never abandon. Imprisonment in this country was a punishment for crime; and to allow imprisonment for debt, was to make the creditor an interested party, a judge in his own cause, deciding without inquiry, and punishing without appeal. He hoped, therefore, that the House would support him in improving the law, upon the principle he had stated. As to fraud, it seemed to him, that the provisions of the act were extremely well calculated to prevent and to detect it. Most extensive powers were given to the commissioners for this purpose; but the fault lay in the inertness of creditors, who had no right to turn round and assert, that frauds were committed with impunity, when they themselves neglected the means of detecting them. It was a mistake to say, that the debts in the schedule amounted to ten millions, while the sum divided did not exceed 60,000*l.* Many of the debts were, of course, upon bill transactions, and they were necessarily multiplied, often ten fold, in order to include all the indorsers who might have a claim upon the insolvent. He thought that no argument could fairly be derived from cases of bankruptcy. An honest man did not go to prison until he had nothing left to satisfy his creditors; so that he could not give any account of assets; while a man was often made a bankrupt, who possessed large funds. No solicitor would work a commission, unless there were considerable assets. He did not mean to withdraw the pledge he had given of bringing in an improved measure. He would set himself to consider what frauds had been practised, and the best means of preventing and detecting them; and, after he had so done, he would submit the result to the House.

Mr. *Ellice* concurred in the general principles stated by the solicitor-general. He congratulated the House and the country, that the law officers of the crown had pledged themselves to frame a measure to remedy the evils of the existing act.

Mr. *Hume* thought the enormous expense of proceedings in the Insolvent Debtors' court, were worthy of the serious attention of the solicitor-general. If the law gave creditors no power over the persons of debtors, they would be more cautious in trusting. He thought it would be for the advantage of the debtor, the creditor, and the public, if imprisonment for debt were wholly abolished. But, while the House sanctioned the principle of not detaining people in prison for debt, he was surprised they should permit the crown to imprison its debtors for life. In Scotland the case was different. He could conceive no worse means of getting payment of a debt, than to confine individuals for 10, 15, or 20 years. It threw into the hands of government a power of confining for life an individual obnoxious on account of his political principles, and of letting those at large, who would purchase their liberty by subserviency. It was a cruel thing to confine a poor wretch for a paltry debt of 10*l.*, and to allow such a defaulter as Mr. Theodore Hook to go at large.

Sir *J. Newport* explained the operation of the Insolvent Debtors' act in Ireland. No complaints were made in that country. The people were not much disposed to give credit; and it was from the facility of giving credit, that most of the evils arose.

The *Solicitor General* said, that the bill of costs complained of by an hon. member did not affect the constitution of the court. It was merely a bill between solicitor and client.

Mr. *Hobhouse* said, it was the bill of one of those attorneys to whom the forms of the court obliged persons to apply. The bill was made out from the printed regulations; and it was so far a recognized bill, that the debtor might be arrested at any moment for its amount.

Mr. *W. C. Wilson* wished that an adviser, in the way of *amicus curiæ*, could be appointed to assist country magistrates who were called upon to sit upon questions of insolvency.

The motion was then withdrawn.

Profane Swearing Bill.] — Dr. *Phillimore* asked for leave to bring in a bill to repeal an existing statute which subjected a clergyman to 5*l.* penalty, if he omitted to read the act of parliament against profane swearing four times a year in his parish church. The statute in question, as well as the custom of reading the act, had long since fallen into disuse, and was only revived occasionally for the purpose of distressing any particular individual. He had known several clergymen who had succeeded in tithe suits, carried by informers before magistrates, and fined under this statute out of revenge.

Mr. *Evans* supported the motion.

Mr. *Warre* hoped the hon. gentleman would extend his repeal to the reading of the new Marriage act in parish churches.

Sir *J. Newport* thought that no acts of parliament whatever ought to be read in churches. Few congregations stayed to listen to them.

Mr. *W. C. Wilson* supported the motion. He had never heard the act against swearing read in a church in his life; and yet he knew a vicar who had been twice fined for omitting to read it.

Dr. *Phillimore* said, that the clause in the Marriage act compelling it to be read in churches had been none of his suggesting. On the contrary, he had distinctly opposed that provision. He agreed with the hon. baronet, that it was improper to read any act of parliament in a church; but he called the attention of the House to the act against profane swearing particularly, because he believed it was the only act for the non-reading of which a penalty was provided.

Leave was given to bring in the bill.

Mutiny Bill—Foreign Relations.] —On the order of the day for the third reading of the Mutiny bill,

Sir *F. Burdett* adverted to the atrocious and unmanly system of flogging which was still kept up in the army, and which he had hoped the government would, ere this, have seen the propriety of taking some means to abolish. The summary dismissal of an officer for the cruelty with which he had inflicted this punishment, proved that the government were not insensible to the evils arising from this system. The conduct of that officer would almost justify a stretch of power in the mode of his dismissal; but it would be much better to put an end at once to so odious and degrading a punishment, than to attempt to mitigate the evils arising from it by another act of arbitrary power. This was a subject which deserved the separate consideration of the House; and he should content himself at present with giving notice that he should, on a future day, bring forward a motion, in which he would endeavour to persuade the House, that the time was arrived when this most odious, unmanly, and detestable punishment ought to be altogether abolished.—That he might not be supposed to acquiesce in the conduct which ministers seemed determined to pursue in the present contest between France and Spain, he could not omit that opportunity of expressing his extreme surprise and regret at that conduct—conduct, to which he scarcely knew what epithet to apply, and which was utterly unworthy of this country. A standing army had only been introduced and maintained in time of peace in this country, under the pretence of the necessity of preserving the balance of power, and the independence of the nations of Europe. This being the only cause for which a standing army was kept up in time of peace, he might fairly enter his protest against that dereliction of duty betrayed by his majesty's ministers, when, calling upon the House for the support of so large a military force, they at the same time abandoned all the objects for which that force could be constitutionally employed. In the absence of the secretary of state for foreign affairs, it might not be considered altogether correct to enter fully into this question; and he was disposed to wait, in order to hear what ministers had to say. From the statements which had been made at the commencement of the session, they had led the House to believe, that they would maintain the honour of England, and the independence and liberties of Europe. Undoubtedly, the incurring of fresh debt and fresh difficulties by a new war was a very serious consideration; but these calculations must give way, when the character, and honour, and permanent interests of the country were at stake. There was but one sound and manly course of policy to pursue, unless those very men who had already reduced the country so low, had at length brought it to that lowest depth of degradation, when they no longer dared to say to the family of the Bourbons, "You must not commit acts of unprovoked aggression on the independent nations of Europe; you must not overturn that balance of power, on which the safety of this country depends, and never more than at the present moment, when from the policy of our government, so contrary to that of our forefathers, all the secondary governments were absorbed under the dominion of two or three of the coalesced despots of the continent. If any thing like a balance of power were to be maintained, Spain and Portugal must be supported, and this country should be prepared to make any sacrifice, rather than the sacrifice of its character and honour. If we submitted to the degradation which ministers would impose upon us, England, to use the expression of Mr. Burke at the commencement of the French revolution, would be blotted out of the map of Europe. The conduct of ministers was not only base and degrading to the character of the country—it was not only mean and unjust—but it was unwise and impolitic. One of the greatest statesmen that ever sat in that House, Mr. Fox, who was naturally a friend to peace, and averse to plunging the country into an unjust and unnecessary war, had declared, that if there was one circumstance above all others which could justify a war, it was where the national honour was concerned. Was the national honour to be tamely sacrificed, and were we to sit still without daring to let the Bourbons know that we had the right and the power to restrain them from making aggressions on the liberties of an independent nation. Setting aside the question of feeling—putting out of view those generous impulses which should induce us to aid a brave nation in the noble struggle for independence—what was the obvious policy which this country was called upon to pursue? If France succeeded in overturning the liberties of Spain, could any man suppose that she would stop there? Would not Portugal be included in the aggression. And if Portugal was included, how could we guarantee her independence, in conformity with the note of the right hon. secretary, except by an armed resistance? There was no more sense nor policy, than honour or good faith, in the conduct of his majesty's government. The question was not, whether this country would be compelled to take a part in the contest between France and Spain; but whether we should now come forward with honour, and with the certainty of success, to aid a gallant people, who had shown themselves capable of sustaining the brunt of the battle, and who, with the slightest assistance from England, would crush their infamous aggressors? If it had been finally determined that this country should pursue so mean, so dastardly, and so impolitic a course, what was the inevitable inference? Why, that the government had resorted to the cowardly expedient of advancing the views of the holy alliance, by means from which every Englishman must revolt with abhorrence. If this was the course on which the government had determined, why was not parliament acquainted with it? Why had parliament been deluded into a ridiculous forbearance? Had it not been for this artifice on the part of ministers, he (sir F. B.) knew not whether one-half of the estimates would have been granted, or whether any of the measures proposed by them would have met with the acquiescence of the House? They had excited hopes in the country, that they would pursue a system of policy worthy of a great nation; and they must abide by the consequences to which the disappointment of those hopes would expose them. For his own part, he protested altogether against any acquiescence in the line of policy which ministers had thought fit to pursue, nor could he express any other feeling with regard to it than that of unqualified contempt.

Mr. Secretary *Peel* rose rather to deprecate discussion, than to reply to any thing which had fallen from the hon. baronet. The admission of the hon. baronet himself, justified this course; because, if it was not proper without due notice to bring on a motion for the abolition of military flogging, still less was it prudent, without regular notice, to discuss that subject to which the latter portion of the hon. baronet's speech had applied. His right hon. friend, shortly after the recess, would be prepared, if matters remained in their present position, to lay a full statement before the House. He could have wished that the hon. baronet had waited, before he made his charge, to hear what case the government could make out. For his own part, he was free to confess, that he differed entirely from the hon. baronet in principle upon the subject; and he believed that the country would hear, with almost universal satisfaction, that, perfectly consistent with the maintenance of her honour and interests, there was nothing at present in her foreign relations which induced government to think that her tranquillity would be disturbed.

Mr. *Hobhouse* thought that his hon. friend had merely followed the line of his duty. A strong suspicion prevailed, that, so far from observing a strict neutrality, the English government had supported the proposed oppressions of France, rather than remonstrated against them. It was rumoured, that the English minister at Madrid had been endeavouring to persuade the Cortes to give up some portion of that constitution which both Spain and the holy alliance had sworn to support. He trusted no such conduct had been pursued by ministers. With respect to the Mutiny bill, he felt indebted to his gallant friend for mooting the point afresh as to the right of the crown to dismiss officers without subjecting them to a court-martial. As to the arguments of the noble secretary at war, upon the exercise of the prerogative on the point in question, they were absolutely absurd. To talk of an inherent prerogative of the crown to dismiss officers from the army, when it was well known that, anciently, the kings of England had no such thing as a standing army, was ridiculous. He admitted, that the right had been frequently claimed for the prerogative; but to represent it as being undisputed, was far, indeed, from the fact. Let the House look to what passed on the celebrated affair of lord Cobham's dismissal. The right was so far from being admitted, that it was emphatically denied by all the greatest men in the House. His hon. friend had been rebuked for citing Montesquieu and Blackstone upon such a question. He would offer an authority of more weight than either—that of George 1st. Upon the debate occasioned by lord Cobham's dismissal (which took place in the reign of George 2nd), lord Stanhope informed the House, that he had once had a conversation with George 1st, in which his late majesty pointedly disapproved of the exercise of the prerogative, doubted the existence of the right, and expressed his intention of employing lord Stanhope to frame a bill, and bring it into parliament, to abridge it altogether, by declaring, that no such right existed with the crown. To be sure, the authority of a dead king was not equal to that of a living secretary; and it might be as little valued as that of the commentators on the law of England. When they talked, however, of the danger to the constitution from denying the right to the crown, they talked as if they were addressing the parliament of 1640, and not the present House of Commons. He trusted that a specific motion would be brought forward, to withdraw this power from the crown.

Mr. *W. Courtenay* confessed he entertained an opinion upon the subject diametrically opposite to that which the hon. gentleman had just expressed. He was prepared to maintain, that in the eye of the law, every thing must be considered as the undoubted right of the prerogative, which had so remained from the time of the Revolution down to this period. That this power in the prerogative had been enjoyed and exercised since the Revolution downwards, was what he positively asserted. That it had been occasionally called in question, he did not deny. Nothing could be more strange than the authority adduced by the hon. gentleman. George 1st, a foreigner, though called to the government, under circumstances certainly dear to the feelings of the country, was yet the last person to be cited upon the doctrines of a constitution with which he could not be over well acquainted. Supposing the question, whether such a power did or did not exist in the crown, were now agitated for the first time, could it be answered in any way but in the affirmative? Could an army be kept on foot without that law? Were there other means to prevent an army once on foot, from becoming the greatest nuisance to the constitution and the liberties of the country? With respect to the other point, he denied that the hon. baronet was correct in the assumption, that the country was prepared to go along with him, in the propriety of plunging into the war. That was not the general feeling of the people of England. It was undoubtedly true, that they would be ready to undergo considerable sacrifices, in order to preserve the honour of the country unimpaired; but it was as true, that they would concur in their praises of ministers, if, keeping that honour unsullied, they should be enabled to bring to a consummation that happy state of prosperity which the country were now enjoying.

Sir *R. Wilson* denied that the people would entertain those feelings, with respect to the preserving of neutrality, which the last speaker had asserted they would do. They would consider the causes of the war; they would see that it was not a war against Spain merely, but a war of tyrants, fanatics, and bigots, against the rights of free nations. They would see that it was a war against liberty; they would observe who were the crusaders; they would see who were the advocates of neutrality, now that the strife was against liberty; and, probably, they would find them to be the very parties who had preached up war when it was raging against liberty. For, what was this war of France upon Spain? Was it not for that which it was impossible for any nation to give up? Was it not to force Spain to yield the point of honour? And, after she had done that, they might bid her take back her inquisition, and all the other engines of ignorance and slavery. There was, in short, no point of degradation at which she would stop. The French had dared the dishonour of Spain. He was an unworthy Briton who would tamely see France trample on the rights of Spain. Let the war proceed, and he felt certain that the people of this country would discharge the duty which they owed the Spaniards. He hoped and trusted, that this brave and generous people would, notwithstanding the Foreign Enlistment bill, go over in crowds, and rally round the banners of honour and freedom.

Mr. *T. Wilson* trusted that the country would be satisfied with the explanation given by ministers. For his part, he was not afraid of being charged with possessing a dastardly spirit, because he hoped that the national honour might be preserved, without the hazard and difficulties of a war.

Colonel *Davies* expressed his surprise at what had fallen from the hon. city member. That hon. gentleman had attended the meeting convened for the purpose of making a sort of confession of faith with regard to Spain. Why, in the name of God, had that hon. gentleman, holding the opinions he now professed, given his countenance and aid to that solemn ceremony? For what did they call the meeting; and what was their object in inviting the Spanish ministers? To wish them well? It was a cruel mockery to inform them that they wished them success, and then to talk of neutrality.

Mr. *Ricardo* protested against the inference, with respect to those who had attended the dinner given to the Spanish minister. He felt a deep sympathy with the Spanish people; but he was very far from intending, by his attendance at that meeting, to pledge himself to engage the nation in war. He had no hesitation in declaring his opinion, that it would be wise in this country to keep out of the war. At any rate, the House ought to hear what ministers had to say, before it came to a decision on the subject. Right or wrong, it was not fair to condemn them unheard.

Mr. *Denison* said, he had refused to attend the meeting, because he would not be considered as pledging himself to support a war on behalf of the Spanish nation. He was for preserving the national honour, without the hazard of war, if that were practicable. He was sorry to differ from his friends; but he was convinced the country ought to do any thing, consistently with its honour, to shun that abyss from which it had so recently escaped.

Sir *J. Newport* said, that no man deprecated more than he did, the conduct of France towards Spain; but that would not make him forget the calamities of war. The evils of the late war had been severely felt. We could not help them now. But they should teach us to pause, ere we plunged the country into another. He hoped he should be understood. Rather than compromise the honour of the country, he would go to war; but still he thought that war should, if possible, be avoided.

Mr. *Jones* said, that during the late war, he remembered hearing the hon. baronet opposite deprecate the interference of one country in the internal affairs of another; whether that country were ruled by a lawful king, a directory, or a republican government. He should like to hear explained the circumstances which had induced the hon. baronet and his friends to change their opinions upon this important point.

Mr. *W. Williams* said, that when he recollected the conduct of ministers on the occasion of the infamous attack upon Naples, he felt that he could not give them credit for liberality. He was most impatient, therefore, to see the documents which were to be produced. Respecting the dinner at which he had attended, he denied having the least idea of pledging himself to any particular line of conduct. His object was to hold out to the world his detestation of the principles upon which France was proceeding, with regard to Spain. It was impossible for him to convey, in suitable language, what he felt with regard to the conduct of the despots of Europe. He should best come near it by using the words of a modern poet:—

> "Nations would do well
> T' extort their truncheons from the puny hands
> Of heroes, whose infirm and baby minds
> Are gratified with mischief; and who spoil,
> Because men suffer it, their toy, the world."

The bill was read a third time.

Marriage Act Repeal Bill.]—The House having gone into a committee on this bill,

The *Attorney-General* said, that the object of the bill was, to bring back the law to the same state as it was under the act of George 2nd, with respect to licences and the solemnization of marriages; in short, in every respect, save the invalidating marriages, when some of the provisions of the latter act had not been complied with.

Dr. *Phillimore* said, that so far as the object of the present bill was to repeal all that part of the act of last session which had proceeded from the House of Lords, and to retain all that had originated with the House of Commons, it was impossible he could object to it. It was valuable also, because it contained a distinct recognition of the principle for which he had so long struggled. But he thought the bill objectionable, because on the face of it, it purported to be a temporary measure; that was, it took off several restrictions, intimating that some months hence other restrictions would be imposed. The House might depend upon it, that when the other restrictions were imposed, however lenient they might be, they would excite clamour and discontent. This was an unfortunate expedient, a vacillation in a most delicate branch of legislation, which he wished had been avoided. The same bill which took off the restrictions, ought to have imposed those which were to be substituted for them. The bill as it came from the Lords was objectionable on another ground; it was so ill drawn, as to be totally unintelligible; and it actually did not accomplish by its enactments its own object, clearly showing its descent from the same parent stock which had produced the clumsy amendments of last year. The attorney-general had obviated this difficulty by the alterations he had proposed, which were so extensive, that when the bill reached the other House, their lordships would not find above two or three lines of the enacting part of it sent back to them. He should offer no opposition to the passing of the bill, though he regretted it was not a permanent and final regulation of the law.

The amendments, and also a clause brought up by Dr. Phillimore, for directing the king's printer to send copies of the act to the officiating ministers of the several parishes and chapelries of England and Wales, were agreed to.

Abolition of Slavery.]—Mr. *Wilberforce* said, that in rising, in pursuance of his notice to offer to the House the interesting petition which had been intrusted to his care, he felt confident, that the subject of the petition would of itself recommend it to the attention of a British House of Commons, and that an additional motive for that attention would be found in the character of the parties from whom the petition proceeded; a body of individuals who seldom came forward to take any share in public concerns, and who could be induced to do so only when they felt themselves called upon by considerations and objects affecting the best and highest interests of society. On the part of the Society of Friends, commonly called Quakers, in Great Britain and Ireland, he held in his hand a petition which he begged leave to present, praying for the Abolition of Slavery throughout the British dominions. He well remembered, to the great honour of the same class of individuals, that they were the first to present a petition to parliament for the abolition of the slave trade. On that occasion, they had appealed to the great principles of humanity and religion. They had also maintained, and the event proved the accuracy of their reasoning, that the abolition was required by considerations of true policy, as much as by considerations of justice and humanity. The retiring disposition and quiet habits of the petitioners prevented them, as he had already observed, from obtruding themselves on public attention, except in such cases as appeared to be of paramount duty. When such a case occurred, however, they were never found deaf to the call of justice and humanity. Their sentiments on the present, as on every occasion, were expressed with a moderation and a seriousness, calculated to give them great additional weight; although it was natural to suppose, that the very circumstance of their feeling themselves called upon to bear testimony against the continuance of slavery in the British dominions, might be calculated to excite some degree of warmth in their bosoms. It certainly was an extraordinary anomaly, that the freest nation that ever existed on the face of the earth — a nation in possession of true liberty—in which the blessings of equal law was extended to the whole community—that such a country should be chargeable with the guilt and inconsistency of allowing slavery in any place under its control. It was, indeed, strange, that those who were so justly jealous of the slightest infringement of their own liberty, should, year after year, and century after century, persist in depriving a great number of persons of that blessing. It was under these circumstances that the petitioners had come forward: and they were entitled to the greater attention, because their efforts were directed against slavery wherever it existed. They asserted, that it was the duty of parliament to put an end to slavery in the British dominions, and to restore those unhappy persons who were suffering under its yoke to the moral dignity of the enjoyment of liberty. There was this to be said with respect to slavery in the East—namely, that there it had, from time immemorial, built for itself a nest—that there it had fenced itself round with mounds and ramparts, and had almost become a part of individual existence; but, an attack had commenced upon that strong hold of evil; its outworks had been demolished, and the territories invaded; and the cause of truth and liberty was advancing. Ancient history proved, that in the part of the world to which he alluded, many of the evils which were so much deplored, had existed so long as two thousand years ago. The accounts of recent travellers scarcely differed from the descriptions which had been left by the ancients. But, how different were the circumstances attending the existence of slavery in the West Indies! There the evil was of our own creation. The slaves had originally been carried thither, not by their own will, but against it; being seized by fraud, and conveyed by force. To those men, and to their posterity, the country owed the solemn duty of making the best reparation they could for the injustice which had been inflicted upon them. It was really astonishing, that parliament should now be called upon to put an end to slavery, in any part of the British dominions. Never, perhaps, since the world began, had there been known such an extraordinary instance of the sufferance of an evil, in consequence of its being removed out of sight. By degrees, the country had become habituated to it; until at length it had actually been considered as a necessary part of the constitution of society in the place where it existed. He now regretted that he, and those honourable friends who thought with him on this subject, had not before now attempted to put an end, not merely to the evils of the slave-trade, but to the evils of slavery itself. When the question of abolition was in its early progress before the legislature, he well recollected that many honourable members of high character and attainments expressed their decided opinion, that it was the duty of parliament, not to confine itself to the mere question of the abolition of the trade in slaves, but to abolish slavery altogether. Such had been the declared opinion of the late lord Thurlow, of Mr. Sheridan, of a noble friend of his, still living, but now in the other House, then lord Percy, the present duke of Northumberland; who, when in the House of Commons, absolutely proposed the abolition of slavery. It might be asked, why that proposition was not warmly supported by those who were then endeavouring to effect the abolition of the slave trade? The truth was, that they were apprehensive, that to press it might prove fatal to the measure which they were desirous, in the first place, to secure. It was, at the period to which he alluded, objected to the friends of the abolition of the slave trade, that their great object was total emancipation. The friends of the abolition of the slave trade allowed, that the abolition of slavery was ultimately their object; and they certainly felt that there was no mode by which it was more likely that that object would be obtained, than by, in the first instance, abolishing the slave trade. Among other advocates, however, for the abolition of the slave trade and slavery together, was the late lord Melville, who, when Mr. Dundas, proposed to the House of Commons, that the slave trade and slavery should end together on the 1st of January, 1800. He, however (Mr. W.), and his immediate friends, were satisfied with endeavouring, in the first instance, to secure the abolition of the slave trade. That object had at length been effected, as far as it could be effected by a legislative measure. It would be impossible, however, to prevent the slave trade entirely, until a complete system of registration were established. There was reason to fear that, in some of the colonies, the trade had been secretly permitted. He owned he thought, that at one period, there was strong circumstantial evidence to show, that in the island of Jamaica, illicit importation of slaves had been permitted. What rendered it still more probable that to a certain extent illicit importation of slaves was carried on, was the universal declaration, previous to the abolition, of every individual possessing property in the West Indies, that it would be absolutely impossible to prevent the importation of slaves into the West India islands. That declaration had made a strong impression on his mind. One great principle by which the friends of the abolition of the slave trade had been actuated was, that the conviction that there was no possible way of obtaining fresh negroes, would induce the planters to adopt, towards their present slaves, a mode of treatment calculated to effect with regard to them, a great physical and moral reform. They had trusted, that the abolition of the slave trade would induce a diminution of the labour of the slaves, a greater attention to their health, a communication to them of the blessings of religious instruction, and an advancement of their rank in the scale of human beings. Such had been their expectations. They had hoped, that the despair of being able to obtain any addition to the number of their slaves by importation, would be binding on the planters to diminish the evils to which the slaves already in their possession were subjected. That the moral effect had not been so great as was anticipated, was, in a great measure, attributable to the defective registration, by which the illicit importation of slaves was encouraged. He remembered but too well, that an individual, of whom he could never speak but with the highest respect, Mr. Burke, declared his distrust of all general principles, which were not connected with positive regulations for carrying them into effect. The immediate friends of the abolition, however, were satisfied, at that time, with the attainment of that single object, for the reasons which he had already stated, and which might, perhaps, extenuate his own guilt in not having sooner proposed the termination of that evil, against which the prayer of the petition which he held in his hand, was directed. He might be mistaken; but he sincerely believed, that, while the great measure which he and the petitioners were now endeavouring to recommend to the House, was enjoined on them by the highest motives which could actuate human beings, it was also recommeded by every view of true policy, and of the best interests of the West India proprietors themselves. He hoped, therefore, that the question would be made one of serious consideration. He earnestly recommended the House to take this great subject up, not with violent zeal, not with headlong haste, but with a determination to do their duty. If, in the course of their deliberations upon it, they should find, that the great object in view could not be obtained without injury to individuals in the colonies, it would be for them to consider by what means those individuals might properly be compensated by the mother country; never, however, forgetting, in their solicitude, to discharge any obligations of that nature, that they had no right to pay British debts with African freedom. All he meant to request was, that the question might receive the fair and impartial consideration of that House; and, let hon. members keep it in mind, that this question involved the liberty and happiness of several hundreds of thousands of their fellow creatures; men who, when transplanted to a more genial soil, and blessed with the benefits of education, had shown, by the very rapid progress which they made in humanity, religion, and civilization, that they were not inferior to any other nation in capability of improvement. He felt that, when arguing upon the fate of a great number of human beings, it would be degrading the subject to confine himself merely to the necessity of supplying them with food and clothing. He regretted, that it had, for some time, been too much the fashion to confine the wants and necessities of slaves merely to food and clothing. Let hon. members look to the principle upon which those unfortunate personages had been, for a long time, induced to work. That principle was, that they were incapable of recollecting a past, or looking forward to a future punishment; and that it was necessary to go on, constantly applying the stimulus of the whip. In adverting to the former conduct of slave owners, he wished to make every possible allowance for the prejudices and feelings by which they were actuated, and to which he himself would have been equally subject, under similar circumstances. He was fully aware of the feelings entertained, and the difficulties which he had had to encounter, when he first brought the question of the African slave trade before parliament, between thirty and forty years ago. He well remembered, that those who were neutral, as well as several who were friendly to the question, repeatedly told him, it was impossible he could ever succeed in his object. He, however, determined to persevere, feeling quite sure, that in England such a cause must finally be successful. He would say the same now. He stood upon principles which, however tardily, would at length make their way with the people of England. In presenting this petition, he considered that the first stone was laid of an edifice which would flourish at some future period an ornament to the land.

The Petition was brought up and read. After eulogizing the perseverance with which the legislature had followed up the measure of abolition of the slave trade, it went on to point out the evils to which hundreds of thousands of fellow-beings were still exposed, by a continuance of their bondage in the British colonies, and concluded by imploring parliament to adopt the most efficacious measures for redeeming them from their present degraded situation.

Mr. *Canning* asked whether it was the intention of his hon. friend to found any motion upon the petition.

Mr. *Wilberforce* said it was not, but that such was the intention of an hon. and much esteemed friend of his.

Mr. *F. Buxton* then gave notice, that on the 22nd of April, he would submit a motion, that the House should take into consideration the state of slavery in the British colonies.

ARMY EXTRAORDINARIES AND MISCELLANEOUS SERVICES.]—The House resolved itself into a committee of supply. On the resolution, "That 620,000*l.* be granted, for the Extraordinary Expenditure of the Army, for 1823,"

Mr. *Hume* admitted the details of the estimate to be in general satisfactory, although he thought that the accounts might still be furnished in a more simple and intelligible shape. The charge for colonies he principally objected to. That item was only 8,000*l.* less in the present year than it had been in the last; and he could not see the policy of keeping up colonies which were to be a burthen to the mother country, instead of a support. He could not help thinking, that it had been unwise to lay out between 2 and 300,000*l.* in forming a harbour at Bermuda. There was also a charge, for the Cape of Good Hope, of 170,000*l.* Now, he was convinced that, under a different system of management, the sale of lands being fairly conducted, and the revenue of the colony judiciously applied, the Cape would be capable of fully maintaining itself. Indeed, but for the commission of inquiry which had been sent out, he should have brought forward a specific motion on the subject. The hon. member then touched upon the administration of our colonies in North America, and upon the charges of Mr. Gourlay against the government of Canada. He adverted to the condition of the Ionian Islands, and complained heavily that England should have paid 150,000*l.* a year, for more than six years, not to protect the people of those islands, but to coerce and keep them in subjection. Among other vices in the administration of sir T. Maitland, he deprecated the arrangement by which that officer had been allowed to hold the two situations of governor of Malta, and high commissioner of the Ionian Islands at the same time. Surely, if Malta required to have a governor at a salary of 5,000*l.* a year, there must be sufficient duty there to occupy that governor's attention, without his holding any offices elsewhere. The only advantage which the country had reaped from sir T. Maitland's holding office in Malta, and in the Ionian Islands also, was, that it had paid for his occasional transport from the one place to the other. He was glad, however, to see some prospect of a more liberal system being adopted towards the Ionian Islands. He could only attribute such change of principle to the change which had taken place in the office of foreign secretary. He believed that, under the new policy, we might reduce our force in those Ionian Islands by 2,000 men. The hon member then reverted to the union of offices under sir T. Maitland; and complained, that certain new regulations which that officer had introduced as to quarantine, cramped the operations of commerce, and occasioned loss as well as inconvenience. He objected farther, with respect to the expense of foreign stations, that Heligoland was no longer of any use to this country. It might have been valuable during the war, as a nest for our smugglers; but it had cost ten times more than it was worth, and might now be given up. He concluded by protesting against the heavy cost which arose out of our military establishment at New Brunswick, and declared, that the whole charge of that military establishment might, under proper regulations, be spared.

Mr. *Wilmot* said, that the value of our colonies was not to be determined by the mere expense they cost, but a great variety of other circumstances. As to the crown lands in Canada, he would say, that Mr. Gourlay had grossly vilified the government of Canada. Considering the political situation of Canada, it was not possible to separate it from the empire; and, owing to that situation, the expense incurred was necessary. As to Bermuda, it was a naval station, and the expenditure for it was determined by very different principles and motives. He would not notice what had been said regarding the Mauritius, further than by observing, that the commissioners sent thither would shortly furnish such information as would render all dispute as to the facts unnecessary. As to the Ionian Islands he could not allow it to be supposed from his silence, that he acquiesced in the assertion, that our troops were stationed there to suppress independence, and keep down disaffection. He could assure the hon. member, that the change to which he alluded was not the consequence of any recent change in the policy of this country. No alteration whatever had been made in the instructions since the beginning of the Greek contest. Before the hon. gentleman attacked the character of a gallant officer, it was his duty to point out distinct facts, which showed that the neutrality had been violated. At no former period had the prosperity of the Ionian Islands been greater than now; and if, at any time, the occupation of them could be justified, it was at the present moment. He concluded by insisting, that in all the colonies government had united practical economy with the most extended views of general policy.

Mr. *Hume* said, he had proved the charges which he had brought against the governor of the Ionian Islands. The conduct of sir T. Maitland had been completely changed towards the Greeks since he had brought forward his motion. The fact was notoriously so, and all he (Mr. H.) had ever wanted was, that a strict neutrality should be observed. A communication from the Ionian Islands, of a very late date, expressed the gratitude of the inhabitants for the total change in the tone and conduct of the British authorities, as regarded the Greeks and their cause. If this did not arise from any order on the part of ministers, it showed, that in this, as well as in some other cases, too much credit had been given them. As to Mr. Gourlay, he considered him a severely oppressed man, who had been troublesome, and of whom the colony had taken care to get rid. It did not follow, that because a man was troublesome, he ought to be expelled. He spoke feelingly. He did not wish, like Mr. Gourlay, to be driven to break stones upon the public highways. He had no hesitation in saying, that Mr. Gourlay had been removed from Canada most unjustly; because he entertained liberal opinions, and charged a public officer with receiving fees after he had accepted a fixed income in lieu of them. He (Mr. H.) earnestly recommended, that freedom and independence should be given to the Canadas. They would then be able to stand by themselves: whereas, if a war broke out between this country and America, we might spend a vast deal of blood and treasure in defending them, and yet lose them in the end. At present we could relinquish them with honour. Hereafter we might be compelled to abandon them with disgrace.

Mr. *Bennet*, from personal knowledge and long intimacy, bore testimony to the honesty and disinterestedness of the public officer accused by Mr. Gourlay.

Mr. *Wilmot* was quite sure the charges would turn out to be unfounded.

The resolution was agreed to. On the resolution, "That 40,000*l.* be granted for Works and Repairs of Public Buildings,"

Mr. *Bennet* rose to make some remarks on the ruinous and disgraceful condition of St. James's Park, the Green Park, and Hyde Park. The trees were falling to decay, the railings broken down, the paths were not attended to. They were kept open all night, and were the resort of the lowest and most profligate characters; in short, no attention was paid to their preservation, or appearance, or police, or to the convenience of the public. They gave the perfect idea of an estate which one sometimes passes in travelling, and which was described as the property of Mr. So and So, whose affairs were unfortunately in Chancery. In every possible way the public were incommoded. If there was a gate, it was so small that no man with a burthen could pass; if there was a useful footpath, it was stopped up; if there was an entrance in a particularly convenient place, it was kept locked. In fact, every thing was done in such a way as if the favour to the public were yielded as grudgingly as possible. Cattle were turned out into the Green Park, by which one of the finest meadows possible was turned into a quagmire, like a stable-yard. Two gentlemen condescended to pocket a considerable sum as rangers, and this practice, he supposed, conduced to their profit. As compared with the management of these parks, the Regent's Park, which was under the woods and forests' board, presented a striking contrast.

Mr. Secretary *Peel* concurred with the hon. gentleman, that the subject was one of sufficient importance to the comforts of the people of the metropolis to deserve consideration, and he thought the House would agree, that, if the revenue of the parks was too limited to keep them in proper condition, no moderate sum could be better employed than in supplying the deficiency. He had made inquiries into the subject, and should take steps in consequence; though some of the matters complained of had a view to public convenience. For instance, the putting an end to the keeping of cows in the park, would greatly disappoint parties who were in the habit of regaling themselves, in their morning walks, with the produce of those cows. However, the hon. gentleman had said enough to awaken attention to the subject.

The resolution was agreed to.

On the resolution, "That 3,000*l.* be granted for the expense of the National Vaccine Establishment,"

Mr. *Hume* objected to the establishment. He believed that other institutions in the metropolis, which did not receive a shilling of the public money, far excelled this establishment in utility. He wished this vote to be postponed until a return, showing what had been done by this establishment, was laid on the table.

Mr. *Dawson* defended the public establishment, as an institution of the greatest utility, and contended, that the vote was absolutely necessary for its support. The return would show, that the establishment had been productive of great benefit. This was the only institution to which the country could look for pure vaccine matter.

Mr. *Hume* did not wish to put down the establishment altogether, but objected to the manner in which the money was expended. He could not agree to pay 800*l.* a year to eight medical men, who were mean enough to take an annual salary of 100*l.* each. Dr. Jenner had withdrawn himself from the establishment, because he disapproved of the manner in which the money was wasted.

Mr. *Dawson* said, that where so eminent a physician as sir H. Halford devoted two hours of one day in every week to the business of the institution, he could not be overpaid with 100*l.* a year. If he employed those two hours in visiting his patients, he would make a much larger sum.

Sir *W. Guise* said, that the country was under great obligations to Dr. Jenner, and he trusted the government would see the propriety of erecting a monument to his memory. He thought the House ought to add 500*l.* to the present vote, for the purpose of raising a statue to perpetuate his fame, and to manifest the gratitude of his country.

The *Chairman* said, that such a motion could not be made. It had been decided, that a vote of money could not be increased in the committee.

Alderman *Wood* said, he had no doubt,

that the eight medical gentlemen alluded to, would willingly give their hundred pounds a-piece towards raising a monument to Dr. Jenner. In that case, the desire of the hon. baronet would be gratified, without any addition being made to the vote.

Mr. *Bright* was of opinion, that the public money was never better expended than in erecting monuments to those who had made great and useful discoveries. Dr. Jenner was one to whom the country was deeply indebted. He hoped the hon. baronet would move, in a fuller house, for the sum he had mentioned.

The resolution was agreed to.

HOUSE OF LORDS.

Friday, March 21.

National Debt Reduction Bill.]—On the order of the day for going into a committee on this bill,

The Earl of *Liverpool* said, it was not his intention to go into a long discussion, as the subject of the national debt, so far as regarded the application of a sinking fund, had been frequently under the consideration of the House, though he knew that many persons, who originally supported the principle of a sinking fund, entertained doubts of the correctness of the opinions which they had formerly entertained on the subject. But, being called upon by his public duty to do so, he had particularly turned his attention to the question, and he had never seen any reason to alter the opinion he had formed of the expediency of the measures adopted in 1786, and remodelled in 1792. He was sure that no person who considered that a war had intervened which had continued for 22 years, could be surprised that all the consequences which had been anticipated had not resulted from the measures then adopted. He did not propose to prove, that the principle had been carried into full effect; but, notwithstanding all that he had heard, he was prepared to assert, that the country had possessed one great means of carrying on the war, by its endeavour to give effect to the principle of the sinking fund. When, however, a period of peace arrived, it became necessary to get rid of the artificial system which had till then been acted upon, to simplify the public accounts, and to establish a real sinking fund upon its only true basis—an excess of income over expenditure. With this view, the House of Commons considered the subject, and certain resolutions were adopted, which formed the basis of the bill now before their lordships. That basis was, that there should be a clear surplus of income of not less than 5,000,000*l.* to be applied to the reduction of the national debt. When the resolutions of the House of Commons came before their lordships, he had stated his views on the subject, which were, that a sinking fund should be left to accumulate till it amounted to the one-hundredth part of the national debt; after which it would be for parliament to consider whether it had arrived at the point when it might be proper to deal with it in another manner. It was admitted that it was desirable that this should be combined with a simplification of the accounts, and that borrowing by government from the fund should be done away with, and such a system adopted as would at once show what the sinking fund really was. This had been delayed until the present moment; and their lordships had now before them the bill founded on the two principles to which he had referred. At the commencement of the present year it was found there was a clear surplus of revenue over expenditure of 7,200,000*l.* It had, therefore, been proposed to repeal taxes to the amount of 2,200,000*l.*, and to apply the remaining 5,000,000*l.* to the purposes of an efficient sinking fund, which it was proposed should accumulate, until it amounted to the one-hundredth part of the debt funded and unfunded. As the noble lords present were all, he believed, agreed as to the expediency of having a sinking fund, it was unnecessary for him to go into an argument to prove that expediency. It was scarcely possible for any statesman or legislator to think of going on during peace, without paying off a part of the debt incurred during war. From the alternations of peace and war that had hitherto taken place, it was impossible for any one not to take into his calculation, that there would be in the time to come similar alternations; and it ought undoubtedly to be the policy of the government to place the country in a situation to commence war, whenever its honour or safety required it. If, during a period of peace, no part of the debt incurred during war was paid off, not only must we commence war under great disadvantages, but ultimately certain ruin must ensue. It was true, that during every war in which we had had a maritime superiority, the wealth of the country had increased, not merely nominally, but substantially, in every branch of its industry. During the war of 1756, a great increase had taken place in the wealth and resources of the country; and in the last war a still greater. In every war, in short, except the American war, the general wealth of the country had greatly increased. Let it not be understood from this that he was an advocate for war. On the contrary, it produced evils of the greatest magnitude, not only during its continuance, from the great change of property which it occasioned, but also from its retroactive effect, on the transition from war to peace. Thus, during the last war, how much was heard of the distresses of annuitants, of mortgagers, of persons with fixed incomes; and, when peace came, the retroactive effect was felt by the landed proprietors in the fall of the value of the produce of the soil, and in the lowering of their rents. It might be said, that those evils were produced by the Bank stopping payment; but the fact was, that in the war of 1756, when nothing of that kind took place, similar evils were produced. It was not as an argument for war, that he stated this; but with a view to a right understanding of the resources of the country. Happily, all the interests of the country had recovered, or were recovering, from the evils produced by the war, and by its retroactive effect. Our manufactures might be carried on at a smaller profit than heretofore; but they were carried on upon a more solid basis. There was much less of speculation, and much more of real and substantial business. The agricultural interest was undoubtedly still depressed; but it was evidently recovering. This, therefore, was the period when a steady course ought to be pursued, for the purpose of liquidating a part of the debt incurred during the war; for if the country should be forced by circumstances into war, the most ruinous consequences must ensue, if nothing had been done during peace to liquidate any part of the debt. With respect to the amount of the sinking fund, it was obvious that some amount must be fixed upon. Parliament had determined upon 5,000,000*l.*; and he saw no objection to that amount. He knew that some difference of opinion existed in another place, as to the real amount of the sinking fund; but into that question he would not now enter. He would merely observe, that as the annuities were now sold, there could be no doubt that there was a difference of income over expenditure to that amount. It might be said, that they ought not to look to one advantage without regarding others. Undoubtedly, if, in considering the important measure, that state had been wholly overlooked, it might properly become the subject of animadversion. But he would state to their lordships what had been done with respect to the remission of taxation. From 1816 down to the present period, 22,000,000*l.* per annum of taxes had been remitted—that was, there had been taken off full one-third of the whole taxation of the country during the latter years of the war. Now, let the reduction of rents or profits be put as low as they might, their lordships would find the reduction of taxation far exceeded it. Under these circumstances, it was thought highly expedient to look the financial system of the country in the face; and it was impossible to place that system upon a solid basis, without an efficient sinking fund. He therefore conjured their lordships not to think of giving up a measure which had been approved of by statesmen, whatever their differences might be upon other questions, which could alone, during peace, place the country in a situation to commence war, when its honour or its safety required it, and which formed the best security for all the interests of the country.

The Marquis of *Lansdown* said, he could not refuse his assent to a bill, by which it was intended, for the first time, to simplify the sinking fund, and place it upon that true foundation on which alone it ought to rest; namely, the surplus of revenue beyond the expenditure. He was himself the first man to suggest to that House the propriety of getting rid of the cumbrous machinery of the sinking fund, after the substance had disappeared; and, though the noble earl had then cautioned him against the danger of the principle he contended for, it was a satisfaction to see the same noble earl adopting that very principle in his bill, by placing the sinking fund on the only true and intelligible ground upon which it ought ever to have rested. Though it was true, that it had been the custom at every period when the subject was introduced into parliament, to praise the sinking fund, to extol the benefit of its operation, and the wisdom of its founders, it was somewhat curious to observe, that the panegyric always ended with some injurious encroachment. Though it never was mentioned but to be praised, it never was praised but to be undermined. After the sinking fund had worn away by those practices, and when nothing remained of it but a display of figures, the only effect of which was to employ a number of clerks, the sum represented being gone to all substantial purposes, it was felt necessary to give an appearance of having that which we had not, by means of the complicated machinery to which he had alluded. Disapproving as he did of this, he could not but concur in a measure calculated, as far as it went, to correct the delusion of which he complained; but, as if, by some fatality, delusion was always to be mixed up with the notion of a sinking fund. We now professed to have an income above our expenditure, to the extent of five millions; when the fact was, that it was only three millions. It had been admitted by a high authority in another place, that our expenditure was 47 millions, and our income 50 millions, leaving only a balance of three millions for the sinking fund. By that operation, and the sale of the half-pay and pension annuity, there was an appearance of increase; but at the expense of whom? Of that very posterity whom we professed to relieve to the amount of five millions, while we took from them the two millions necessary to make it up. He did not trust to his memory in this instance; for he had the authority of a published speech of the noble earl opposite, in which he took credit, at the commencement of last session, for the advantage that would be derived by posterity, from the falling in of the half-pay and pension annuity; yet that very fund of which the noble earl had boasted as a relief to posterity, was the one with which he now went into the market to make up the sinking fund. It was, in fact, saying to posterity, after reciting in the bill that it was fitting they should be relieved by means of a sinking fund—after saying that we had that surplus which we had not — "You shall be relieved to the extent of five millions instead of three millions; but to enable us to do so, you must allow us to borrow two." He would therefore contend, that the bill partook of the character of delusion, by holding out a surplus which did not exist. Under this impression, it was his intention to propose, either in the committee or on the bringing up of the report, that the sum of three millions should be substituted for five millions, in order to get rid of the delusion. One benefit which the noble earl had stated as arising out of the operation of a sinking fund, had struck him with some surprise. He had represented it as likely to prevent those great changes of property, which arose out of the transition from war to peace. If ever there was a period at which such an argument ought not to be brought forward, it was at the end of a long war, during which this country possessed a greater sinking fund than ever was anticipated by the most sanguine speculators. Surely the House would not deny, that a greater change of property had never taken place in any country than we had since experienced in this—a change only inferior to that produced by revolution; and yet it was produced in spite of the nostrum proposed by the noble earl, as a certain remedy against such an evil. He was ready to admit, that great advantages might be derived from a sinking fund in time of peace; at the same time, he did not believe, that any abstract proposition could be laid down as to its being always necessary in time of peace to lay by so much surplus revenue for a sinking fund. He considered government perfectly at liberty, without any breach of public faith, to appropriate the surplus revenue in that way, which seemed most advantageous to the country. There might be periods of peace, when it would be proper to have a sinking fund; but, would it not be absurd to say, that under all circumstances, such a fund should be created, and that sums should be taken from the public purse, and kept apart, which, if employed in the remission of taxes, would improve the resources, extend the commerce, and benefit the agriculture of the country? He was disposed, under the circumstances of the country, to go some way towards providing a sinking fund. He could not shut out from his mind the probability of an approaching war in the peninsula. He was, therefore, more desirous than he was at a former period, to see this country possessed of a surplus revenue to a considerable amount; applicable, first as a sinking fund, and next, to meet any extraordinary situation in which the country might be placed.

Under these circumstances, he would not object to a sinking fund of three millions. The noble earl had stated the large amount of taxes which had been taken off. He was glad to hear the noble earl dwell on this subject; because he had often been told in that House, that taxation had little to do with the existing distress. Looking to all the circumstances of the country, he felt no inclination to oppose the formation of a sinking fund to the amount of the actual surplus. There was nothing connected with our internal affairs, of greater importance than the preservation of the character and honour of the country, by the payment of the interest of the national debt. He was happy to see so strong a disposition in parliament—notwithstanding there were men who wished to relieve one class at the expense of another—to adhere strictly to the preservation of the public faith.

Lord *King* insisted, that the present bill contained a manifest delusion. There were, in fact, but three millions applicable to a sinking fund: the remainder was borrowed from posterity. The present was an amphibious sort of measure. It was partly the work of the last, and partly the work of the present chancellor of the exchequer. Its incongruity reminded him of certain animals in New South Wales, which appeared to be part bird and part beast.

Lord *Ellenborough* regretted, that the noble lord (Bexley) who had been so long at the head of the exchequer, had not given their lordships the benefit of his opinion on this occasion. He thought with his noble friend, that the real sinking fund was not five, but three millions. If there was a sinking fund of five millions, taxes to that amount might be taken off. But it was clear, that if taxes were taken off to the amount of five millions, the expenditure would exceed the income by two millions. The noble earl had told them that the improvement of the revenue had now, for the first time, enabled government to settle the sinking fund on a firm basis; but, in point of fact, the revenue was smaller now than it had been at many previous periods. It was not, therefore, the increase of revenue alone that enabled their lordships to entertain this measure; it was the diminution of expense, acting in concurrence with the improved state of certain items in the revenue. At the present moment, he conceived their lordships must see the necessity of keeping up the establishments of this country, and of enabling her to maintain her high situation amongst the states of Europe. God only knew how long they might retain the blessings of peace!

Lord *Bexley* thought the establishment of a sinking fund necessary, to prevent any uncertainty with respect to funded property. He defended the plan adopted for getting rid of the half-pay and pensions, and maintained, that there was an actual surplus revenue of 5,000,000*l.*

The bill then went through a committee.

HOUSE OF COMMONS.

Friday, March 21.

WAREHOUSING BILL.]—Mr. Wallace moved the order of the day for going into a committee on this bill.

Mr. *Robertson* believed, as far as he had been able to ascertain the general feeling of the commercial interests in this country, that there was not a single exception taken to the principle of this bill. But, though it was of vital consequence to the empire in itself, its machinery was such as would be very likely to destroy all its good effect. The object of the bill was, to allow foreign manufactures and produce to come into our warehouses, and to go out of them again, with the greatest possible facility: so that foreign commerce might be carried on in this country, with greater advantage than it could be in others. The unnecessary caution, however, which government had manifested to secure the revenue, tended to destroy the advantages which would otherwise accrue from it. This was the complex part of the bill—when foreign goods were deposited in our warehouses, those who exported them again were, by law, required to give bond for such exportations taking place; and this was usually done by the merchant, captain, or some other efficient authority. Now, when the vessel in which they were exported was once fairly out of our ports, he conceived that these goods were in just the same situation as if they had never been in our warehouses; and, therefore, that no further protection or precaution, on the part of government, was necessary. So much of the bill as recognized this principle, he quite approved of; but the government, not content with this, called upon all the other nations of the earth to protect our revenue. Now, what had the merchant of the continent of Europe, or the merchant of

Asia, to do with our revenue? Under this bill, when the foreign merchant took the goods out of the warehouse, he engaged, upon oath, to certify, that they should be landed precisely at that foreign port which the bond specified they were to be exported to. The consequence was frequently this—when the vessel arrived at such foreign port, she found the market already glutted with the kind of produce she carried; but she was obliged to land her cargo, and was not permitted to sail to some other port without breaking bulk. He conceived that this defect might easily be remedied, by the master or other efficient person's giving a bond that such goods should not be re-landed in this country. Then, as to our colonies. Vessels carrying out foreign goods to the colonies were required to pay the duties before they sailed. It was to be recollected, that our colonies stood in a very different situation from what they did two years ago; for their ports were now opened for the importation of foreign goods. Then, if the duties were to be paid on such goods here, how could they, on arriving in the colonies, stand a competition with those which did not come from the mother country? He warmly approved of the principle of the bill, and was desirous that it should be rendered as complete as possible.

Mr. *Bright* was very desirous that the committee upon the bill should stand over until after Easter, in order that its provisions might be circulated among those to whom the subject was of great importance.

Mr. *Wallace* said, he was not prepared to hear any objections on the score of hon. gentlemen being taken by surprise. The bill had been already printed five times over; and he now proposed the committee in pursuance of a distinct pledge which he had given to an hon. gentleman opposite, that the measure should be brought on at an early period of the session, to give time for mature discussion through all its stages.

Mr. *S. Wortley* denied that individuals who were interested in the bill had had sufficient opportunity of ascertaining how far their interests were affected by it. The merchants at Leeds had called a meeting upon the subject, conceiving that a part of the bill was calculated materially to injure them. He was desirous of delay until the result of that meeting should be ascertained.

The *Chancellor of the Exchequer* said, that the bill, with the exception of one clause, was the same as that of last year. That clause was an exception in favour, or, as he should say, in disfavour, of silk and linen goods. The House, last session, had suggested, however, that such a clause should be introduced. Now, he understood the hon. member for Yorkshire to wish that woollens should be included in the same exception; and in that case the hon. member would have ample opportunity to press the introduction of a provision to that effect, in the subsequent stages of the bill. He, nevertheless, conceived that the hon. gentleman's constituents took a very bad view of their interests.

Mr. *K. Douglas* did not conceive there was any ground for apprehension on the part of the persons interested in the woollen trade. We, at present, exported woollens to the amount of 7,000,000*l.* annually, of which 3,000,000*l.* were exported to continental Europe, 2,000,000*l.* to America, and 1,200,000*l.* to the East Indies. He did not conceive, therefore, that we were in much danger from foreign competition. The present measure, he was persuaded, would be extremely beneficial.

Mr. *Benett*, of Wilts, was persuaded, that the general principle of the bill was excellent. He feared, however, that the framers of it had got into a hobble, by listening to the representations of the persons concerned in the silk-trade. If they persevered in that part of the bill, he should move a similar exemption in favour of woollens.

Mr. *Marryat* considered this bill of the utmost importance to the country. He thought the prejudices which seemed to exist against it very extraordinary. It did not touch our manufactures; but affected only foreign goods that had been brought into our markets. The revenue, which it was calculated took one-fourth of what was earned and expended by every body in the kingdom, was mainly interested in the bill. There was scarcely a kingdom of Europe into which British goods might not be imported, and from which they might not be exported; and the consequence was, that there they could most easily make up assorted cargoes of any description. Hence it had hitherto happened, that foreign merchants had been able to supply foreign markets to much greater advantage than we could.

To remedy this defect the bill had been framed.

Mr. *T. Wilson* said, the reason of the exceptive clause was obvious. Why was the exception made in favour of silk?—because the duties on silk were so enormously high. Why was the exception made in favour of linens?—because the distresses of Ireland had induced the legislature to manifest some feeling for her want of capital. It would be unfair not to extend the same exemption to the woollen trade, as long as it was subjected to the present tax. He agreed with the right hon. gentleman on the general principle of the bill; but he thought it was straining it too far not to allow that there were peculiar cases which ought to be exempted from its operation. If no other member should anticipate him, he would move in the committee, that the word "woollen" should follow the word "linen."

Mr. *Philips* said, the exceptions in favour of silks and linen were only made to meet existing prejudices. It was matter of notoriety, that our commerce had suffered seriously in consequence of the want of a more liberal policy. He had made inquiries respecting the woollen trade, and had learned, that it was in a progressive state of improvement, and could maintain a competition in the foreign market. He objected to the tax upon wool as strongly as any man could do, and would support a motion for repealing it; but he could not give his approbation to any measure which should have for its object to continue the law in its present state.

Mr. *Dominic Browne* said, he would divide the House, unless the right hon. gentleman would allow the bill to be recommitted after the holidays.

Sir *H. Parnell* was of opinion, that the bill would be very beneficial to the Irish trade, as it would make a greater opening for the linen manufactures of that country than at present existed.

Sir *J. Newport*, having on former occasions opposed the principle of a free trade, took the earliest opportunity of declaring, that he considered the opinions which he had formerly entertained upon that subject to be quite erroneous, and had arrived at the conviction, that the trade of Ireland would be greatly improved by throwing it quite open. An opinion in favour of a free trade, was fast gaining ground in that country.

Sir *M. W. Ridley* said, that the House ought to look at the general principles of the bill, and not refrain from proceeding on account of objections being made to some of its details. Particular interests might be partially injured by the operation of the bill, but he was of opinion, that the measure, taken altogether, would be highly beneficial to the commerce of the country.

Mr. *Ricardo* was of opinion, that the bill was founded on a sound and judicious principle, and one which ought to prevail throughout our commercial code. The country was greatly indebted to the right hon. gentleman for his efforts to liberalize the system of trade. It was impossible to make a law which would not interfere with the interests of some classes; but the one before the House, while it was calculated to advance the public welfare, interfered as little as possible with particular interests.

Mr. *Hume* called the attention of the right hon. gentleman to the severe duty of 3 per cent, which was levied by the Levant Company, to the great prejudice of the Turkish trade, and hoped he would take that grievance into consideration. As to the bill, it was his opinion, that it ought to have no exceptions. It was favourable to the general interests of the country, and he would therefore give it his decided support.

The House divided: For going into a Committee, 82; Against it, 8.

List of the Minority.

Benett, J.
Bright, H.
Dickinson, W.
Fane, J.
Grattan, J.
Smith, W.

Sumner, H.
Tulk, C. A.

TELLERS.
Browne, D.
Wortley, S.

The House then went into the committee. After some discussion, Mr. S. Wortley's Amendment, that woollens, as well as silks and linens, should be exempted from the operation of the bill, was negative the remaining clauses of the bill were gone through, and the House resumed.

BEER DUTIES ACTS.]—The House having resolved itself into a committee on these acts,

The *Chancellor of the Exchequer* said, he did not intend at that late hour to go into the details of the subject which he had to submit to the committee. The course he would now pursue was, to propose certain resolutions for the adoption of the committee. If they were agreed to, he should afterwards bring in a bill in accordance with them, and have it read a first time and printed, in order that the House and the country might have an opportunity of considering its provisions, previous to the general discussion of the measure after the recess. The main object of the bill was, to afford the poorer classes an improved sort of beer, at a cheaper rate than they now paid for it, and by that means to add to their comfort; while the consequent increase in the consumption of beer and malt would contribute to benefit the agricultural and other interests of the state. At present there were two duties payable on two sorts of beer; the one was a duty of 10*s.* per barrel on strong beer, the other a duty of 2*s.* per barrel on table beer. Formerly there was an intermediate duty upon an intermediate quality of beer. It was subsequently found necessary to give that up; because it allowed considerable opportunities for evading the higher duties on the one hand, and on the other there arose a great prejudice to the consumer. It was obvious, that persons having two qualities of beer at different rates of duty in their cellars, might bring them up, and sell the composition as if all the beer had paid the high duty, and thereby the revenue suffered, while the consumer was far from being a gainer. In short, he paid full duty for a very inferior article. The consequence of doing away this intermediate quality of beer was, to compel the poor man, who could not afford to brew his own beer, to have recourse to that of the highest quality and rate of duty. It was therefore desirable to revert again upon some fair system, to an intermediate quality of beer. But means must be taken to prevent fraud. It was right to fix some price, beyond which the intermediate duty should not be carried. It seemed also necessary to restrain the sale, so far as to prevent the intermediate quality of beer from being consumed on the premises where it should be purchased. It should be competent to any person to take out a licence for the sale of beer or ale, of quality not exceeding in price 27*s.* the barrel;—the duty on which should be only 5*s.* per barrel. The condition would be, that the article should not be consumed on the premises of the seller, in order to prevent frauds. Moreover, he did not think it wise to put an end to the present method of brewing and licenced public houses; and it would be a sufficient advantage to the brewer and vender of the intermediate quality of beer, to be allowed to sell any quantity under his licence down to a pint. These were considerable advantages over the publican, because they would not need the licence which the latter was required to take out by the law, and they would be from under the control of the magistrates; and this was another reason for not allowing the beer to be consumed on the premises. The small beer at 18*s.* was brewed at the rate of seven barrels from a quarter of malt. The modified duty would allow only five barrels to the quarter, and with 5*s.* a barrel duty, the beer, which would be a reasonably good article, might be sold for 2½*d.* per pot. This was a fair rate, and ought to produce a wholesome beverage for those who were now unable to pay for the beer charged with the high duty. He anticipated from this measure considerable advantage to the consumer and the grower of barley; and he flattered himself no prejudice would be suffered by the great breweries and their public houses. He said this, because, though he was opposed to all monopolies; yet, considering the great increase of taxation in the last five and twenty years, and that many measures had been adopted on sudden exigencies with a view to that increase which had led to a particular application of capital to particular branches of trade, he was prepared to admit, that the monopoly in beer was purely incidental. He wished, therefore, to adopt the most cautious mode of returning to a freer trade, and could not but feel anxious that the capital invested in this way should be put to as little danger and inconvenience as possible. He flattered himself, that the measure which he had to propose would fully answer all the purposes which he had mentioned, and should conclude with moving,

1. "That there shall be levied and paid an excise duty of 5*s.* for every barrel, containing 36 gallons ale measure, of beer or ale which shall be brewed in Great Britain for sale, and which shall be brewed in the proportion of not less than 5 barrels, containing 36 gallons each, of such beer or ale, nor more than 5½ of such barrels, for and from each and every quarter of malt which shall be used for the brewing thereof, and which shall be sold in any quantity at one time, of 9 gallons or upwards, at a rate or price not exceeding 27*s.* the barrel, or which shall be sold in any quantity at one time of

less than 9 gallons thereof, at a rate or price not exceeding 10*d.* the gallon.

2. "That every brewer of such beer or ale shall take out an excise licence, authorizing such persons to brew such beer or ale, and shall pay duty for every such licence at and after the same rate as is by law imposed on excise licences to common brewers of strong beer.

3. "That every seller and retailer of such beer or ale, at any place detached from the entered premises where the same is brewed, and not being sold for consumption on the premises or place where sold, shall take out an excise licence, and shall pay for the same the sum of 1*l.* 1*s.*"

Alderman *Wood*, on behalf of the 48,000 publicans of Great Britain, 2,000 of which were among his constituents, objected to the measure. He thought it particularly hard, that at least these persons, who had altogether 23 millions of property in their leases, houses, furniture, and stock in trade, should not be allowed to sell the beer of the new quality, as well as other people.

The *Chancellor of the Exchequer* said, he did not mean to prevent brewers from manufacturing beer of the intermediate quality; but it was obvious, that they could not be allowed to do it on the same premises with their old trade. There must be some precautions to secure the revenue.

Mr. *Buxton* thought that the measure was one of an inequitable kind. It appeared, however, to be the wish of the agriculturists, the wish of the public, and —what was beyond the other two put together—the wish of the chancellor of the exchequer, that it should pass. The brewers and publicans had, therefore, nothing left, but to yield with the best possible grace. He thought, however, that the right hon. gentleman ought to impose the duty more fairly.

The resolutions were agreed to.

HOUSE OF LORDS.

Monday, March 24.

National Debt Reduction Bill.]—On the order of the day for the third reading of this bill,

The Marquis of *Lansdown* said, that agreeably to the intimation which he had given, and in order to make the bill what it professed to be, he should move, as an amendment, that the words "five millions" be left out, and "three" be inserted instead.

The Earl of *Darnley* believed there was a surplus revenue of five millions, but would vote for the amendment, in the hope, that two millions of it might be applied to the reduction of taxation.

The Earl of *Liverpool* said, that unless the noble marquis meant to negative the arrangement with the Bank, it was impossible to say that there was not a disposable surplus of five millions. The arrangement might be wise or unwise, just or unjust; but nothing could be more futile than the attempt to represent it as something mysterious and fallacious, when, in fact, it was the plainest measure that possibly could be conceived. There was a sum of 4,800,000*l.* to be paid annually, which was as much a part of the national obligations as any other. If the persons to whom these pensions were paid could be collected in a room together, and such an arranegment could be made with them, what could be more fair? And, was it not precisely the same thing, if such an arrangement were made with a third party? But then it was said, this was unfair with respect to posterity. In what respect? If we imposed a greater burthen on posterity than we imposed on ourselves, there might be some colour for the charge: but, was it fair for those who had been calling loudly for relief, to object to the principle on which it was proposed to give it. If they were to wait the gradual falling in of the pensions, the relief from taxation that could be afforded in any one year would be imperceptible. The real objection to the measure was, the difficulty of knowing whether the annuities could be disposed of; but as that had been effected, as the measure was not unjust to posterity, and as it would be a great relief to the present generation, he trusted the House would adopt it.

Lord *King* said, that the only reason given for adopting the sum of five millions was the resolution of the House of Commons; but, when it was recollected, that there had been a resolution of that House, that paper and gold were equal in value, he thought some better reason should be given for adopting that precise sum.

Lord *Bexley* said, the sinking fund now proposed, as compared with the whole debt, was greater than that which Mr. Pitt had established. He could not see that any injustice would be done to posterity; for, at the end of 45 years, the burthen would be neither more nor less than if this transaction had not taken place.

The amendment was negatived, and the bill passed.

KING'S PROPERTY BILL.]—On the order of the day for the third reading of this bill,

Lord *Ellenborough* begged to ask the learned lord on the woolsack for his opinion, as to the right of the king to dispose of the personal chattels of the crown, without an act of parliament.

The *Lord Chancellor*, in reply to the question of the noble lord, said, there were two things to be considered; first, the capacity of the donor to give; and secondly, the capacity of the donee to take. If it had been a question as to giving the library to a corporation, such as the Museum, he should have said, that with respect to the personal chattels of the crown, his majesty might dispose of them, if the party to whom they were disposed was capable of taking; but when the question was put, whether the nation could take, and in what manner it was to take, he had thought it right to give some consideration before he replied. With respect to the question generally, his decided opinion was, that his majesty had the power of giving away the personal chattels of the crown in his life-time; and he should say, before the 39th and 40th of the late king, it was at least doubtful whether he could not dispose of them by will. His majesty could originally (as the 39th and 40th of Geo. 3rd contained nothing but enacting clauses) dispose by will of the personal chattels of the crown; and if the chattels were of the description specified in the act (it must be taken as the better opinion), that they could not be disposed of by will. Before the restraining acts of parliament, the power of alienation was supposed to be incidental to being seized in fee, and lands were constantly disposed of by the crown. The lands of the monasteries and abbeys at the time of their suppression, were granted to great families in so liberal a manner as to secure the gratitude of their posterity, as had been often seen; and his majesty might lawfully do it. He used the word lawful as a lawyer, not as a statesman; and in that sense he would say, that the crown might do lawfully in the premises what it was not restrained from doing by act of parliament. One of the arguments used by lord Coke applied to the present case. He said, that, supposing a person to be possessed of large estates before coming to the crown, if the *jus coronæ* attached to those estates, he would be placed in a worse situation than any other person, notwithstanding the accession to the crown cured all other defects; and he was of opinion the crown had the right of disposing of such estates. Whether he gave a right opinion as a statesman, he (the lord chancellor) would not say. Statesmen thought lawyers bad statesmen; and lawyers certainly thought themselves good statesmen. He would say, when asked his opinion as a lawyer, that if the law conferred the power now contemplated by the bill to be vested in the crown, he had no right to contemplate the abuse of such a power. If the noble lord wanted authorities in support of the legal principle recognized in the bill, he would find them in Bracton and Fleta, and other writers of equal antiquity.

Lord *Ellenborough* regretted that the learned lord's answer was not so satisfactory as he could have wished. Although entirely incompetent to enter into a legal argument with the learned lord, he must still entertain considerable doubts as to the power of the crown to dispose of personal chattels, in the same manner as a private individual could; and, when a question arose upon such a point, he thought it was their duty to prevent the possibility of abuse with respect to the chattels of the king. In early times the property of the crown was governed upon principles quite distinct from those which regulated the distribution of private effects. From the time of Alfred down through successive reigns, it was held that crown property was inalienable: that it belonged to the kingdom, not to the king. Lord Coke had held that the king could not dispose of the crown jewels, and that they were an heir-loom to the throne. He knew that the common law had made great inroads upon the *jus coronæ*; but still he entertained great doubts, from the current of authorities, that the crown had not the power to dispose of personal chattels. Taking, then, the present bill in conjunction with the other contemplated legislative proceeding respecting the transfer of the late king's library to the British Museum, he could not avoid viewing both with great suspicion, and as indicating the introduction of a declaratory principle, the object of which was to separate the personal property of the sovereign before his accession to the crown, from that subsequently acquired, and to create a new power of distribution not recognized by the previous law. There might be some motive for a new arrangement, were there children, for whom a separate provision might be necessary; but here there was no such plea, and why not allow the crown property generally to devolve upon the successor to the throne? The king had, for the last eight years, been applying the crown property, to improve certain personal property, which he was now, according to this bill, to have the power of selling. It was a matter of record, that in the year 1816, 20,000*l.* was given from the droits of the Admiralty to the present king, to buy furniture for his residence at Brighton; and now a new light, as it were, broke in upon ministers, and they saw the necessity of introducing a bill to create a distinction between the personal chattels of the sovereign and crown property. He had a general objection, on principle, to invest the crown with personal rights of property; it would be accumulating upon the king two incompatible rights, not only inconsistent but inconvenient in their exercise.

The Earl of *Liverpool* said, he felt it a duty which he owed the sovereign, as well as his majesty's government, to do away the impression conveyed by the speech of the noble lord, as if some trick were intended to be practised by this bill, and as if it were to be ingrafted upon another bill connected with a most liberal gift from his majesty to the public. He would call upon the learned lord on the woolsack, and his other noble friends who were ministers of the crown, to say, whether the present bill was not quite distinct from the transaction of the munificent gift alluded to, and whether it had not been under consideration three years ago, and long before that gift had been thought of. He must lament, that an act which had excited throughout the country almost one universal feeling of gratitude—a transaction which reflected as much honour upon the memory of the late king, who, in the long period of 60 years, had acquired one of the most valuable collections of learning which ever existed in one library, as it did upon his present majesty, who had evinced a willingness to devote such a collection to the public service, in the way which appeared to parliament most eligible for the general advantage, should have been so misconstrued. His majesty had made no stipulation that it should be given to this or to that place; but had left it to the discretion of parliament to dispose of it in the manner most beneficial to the country. It was too much that an act in itself so gracious, and conducted in so constitutional a manner, should be described as something like a trick, to promote some particular object. He would not now enter into the justice or injustice of the acts of the 39th and 40th of the late king; but he would say, that upon the general principles of justice and the analogy of law, nothing would be more unfair than to deprive the king of power over his private property, acquired out of his revenues when prince of Wales, and which at such time he could, without any possibility of cavil, have disposed of as he thought proper, now that he had succeeded to the crown; or to place his majesty in such a situation, as to be the only person in the kingdom whose recognized rights were to be taken from him upon his accession to a higher dignity.

The *Lord Chancellor* declared, in the most solemn and unequivocal manner, that there was no connexion between the present bill and that contemplated elsewhere respecting the late king's library. The transactions were wholly distinct.

Lord *Redesdale* contended, that until the act of queen Anne, the power of the crown to grant land had been unlimited. It was true, that when those grants were not approved of, the ministers, by whose advice they had been made, had been impeached; but even then the grants had not been revoked. Why had the act of queen Anne been passed, if the crown had not previously possessed the right of granting lands? But the fact was, that half the lands in the kingdom were holden by grants from the crown.

The bill was then read a third time.

HOUSE OF COMMONS.

Monday, March 24.

Army Extraordinaries—Miscellaneous Estimates.]—The report of the committee of supply, to which the army extraordinaries and miscellaneous estimates were referred, were brought up. On the resolution, "That 620,000*l.* be granted for Army Extraordinaries," Mr. *Hume* repeated the objections which he had made last year to the expenses of the colonial agents. It had at that time been asserted, that those expenses were paid by the colonies, and not by the British treasury. Such, however, was not the fact. There was in the present resolution an item of 600*l.* to the agent for the Cape of Good Hope. Surely, the revenue of the colony was adequate to such an allowance, and ought to be charged with it. The agent for Ceylon received 1,200*l.* a year. What were the duties of that office, that the people of England should be charged with so large an additional sum? Then there was 600*l.* for the agent for Malta, and 500*l.* for the agent for the Mauritius. All these sums the House were now called upon to pass. But why were the people of Great Britain to be thus loaded for the benefit of the people of the colonies? The treasurer of the navy was the present agent for Ceylon. How could the duties of that agency be compatible with the duties of that right hon. gentleman's high official situation? The agent for the Cape of Good Hope ought to be paid by the colonies; and so should the others. By a statement which he held in his hand it appeared, that the balance of the bills drawn in the colonies, and accepted in Great Britain, amounted to 1,627,000*l.* exclusive of other sums paid in Great Britain. Adverting to the item of prize money to the late lord Keith, to the amount of 2,400*l.* he wished to know how it happened, that all the prize money due during the late war had not been paid long ago? Was the present item the only one remaining? Another item of the estimates consisted of 9,244*l.* to baron Langsdorff, on account of the subsidy of 1793. Why had such an account been allowed to remain thirty years in arrear? Another extraordinary item was that of 1,025*l.* paid to sir A. Hope, for coals and candles, as lieutenant-governor of Edinburgh castle. Why permit it to run seven years into arrear? To him it appeared a large sum to pay to an officer, merely for coals and candles. He should, however, content himself at present with moving, "That the sum of 2,800*l.*, for the support of colonial agents, be deducted from the vote."

Mr. *Wilmot* said, he considered the agents of the greatest importance to the colonies, and knew that the same opinion was entertained in the colonies. The colony of New South Wales had even memorialized the government for an agent. He would take that opportunity of saying a few words with respect to the accusations which the hon. member had on a former evening brought against the governor of Upper Canada. After having made inquiries upon the subject, he was prepared to say, that a more unfounded statement was never advanced in that House or elsewhere. One of the charges made against the governor was, that he improperly received fees. Now, he could assure the House, that the governor received no fees at all; having accepted a consideration in lieu of them. He regretted that the hon. member should bring forward charges against public officers which were not capable of being maintained.

Mr. *Creevey* directed the attention of the House to the fact, that three of the colonial agents were members of parliament. By the act 6th of Anne, any person accepting a new office was disqualified from holding a seat in that House. He supposed he should be told, that the act only referred to offices given by the crown. There could not be a more Jesuitical argument. According to such reasoning, lord Bathurst might fill the House with members holding offices, although the king could not. It was his intention, after the holidays, to bring forward a proposition upon the subject to obtain a declaration of the meaning of the act of Anne; and if it should appear, that it did not comprehend the cases to which he alluded, he would propose to amend it, in order to bring those cases within its reach [Hear!].

Sir *J. Yorke* said, he would support the amendment, on the ground of public economy.

Mr. *Huskisson* said, that the act of Anne referred only to such appointments as were held directly under the crown. The colonial agents were paid out of the local revenue, and not out of the crown funds.

The House divided: For the Resolution, 74; For the Amendment, 43.

List of the Minority.

Abercromby, hon. J.
Baring, sir T.
Bennet, hon. H. G.
Bernal, R.
Blake, sir F.
Boughey, sir J.
Birch, J.
Boughton, sir W.
Calcraft, J.
Calcraft, J. jun.
Caulfield, hon. H.
Cholmeley, sir M.
Crompton, F.
Coffin, sir I.

Colburne, R.
Curwen, J. C.
Davies, col.
Fergusson, sir R. C.
Fitzgerald, lord W.
Grattan, J.
Hamilton, lord A.
Lambton, J. G.
Lennard, T. B.
Lethbridge, sir T.
Marjoribanks, S.
Martin, John
Newport, sir J.
Normanby, visc.
Ord, Wm.
Palmer, C.
Pelham, J. C.
Ridley, sir M. W.
Ricardo, D.
Russell, lord J.
Sefton, earl of
Smith, W.
Sykes, D.
Thompson, ald.
Wilson, T.
Wilson, sir R.
Wood, alderman
Wyvill, M.
Yorke, sir J.

TELLERS.

Hume, J.
Creevey, T.

On the resolution, "That 62,405*l.* be granted for the expense of Convicts at Home,"

Mr. *Hume* rose to ask, whether the contracts for supplying the convicts with clothes, &c. were made by public advertisement? While he was on his legs, he would take the liberty of saying, in consequence of what had fallen from the secretary for the colonies, that he never would shrink, from any charge he had once brought forward. With regard to the case of Mr. Gourlay, he intreated the House to wait until the papers were before them, and then he was confident that the statements of that gentleman would be found correct. He complained that the hon. secretary had said, that he made sweeping allegations against individuals which he could not afterwards support by evidence. With regard to the government of the Ionian Islands, he had said, that sir T. Maitland had been guilty of many unjust and arbitrary acts. What were the proofs which he had adduced? The repeated rebellions which had taken place in those islands, and the increased number of British troops which had been sent there to quell them. He was ready to prove to-morrow, all the allegations he had ever made against sir T. Maitland. If the hon. gentleman thought that he extended those allegations to sir T. Maitland's present conduct, he laboured under a mistake; for he had distinctly said, that within the last four months, there had been a considerable change in the conduct and policy of that officer. He regretted exceedingly, that sir T. Maitland had been permitted to continue so long in the government of those islands; for his conduct had caused the name of an Englishman to be hated by the inhabitants. Instead of being the protector, he had been the scourge and tyrant of the islands; and had committed acts of injustice and of oppression without a parallel in the administration of our colonies.

Mr. *Dawson* said, that the contracts for clothing the convicts were made openly and publicly.

Mr. *Wilmot* said, he understood, that during his absence, the hon. member for Aberdeen had revived the subject of the charges against the governor of Upper Canada. The hon. member had been specifically told, that if he would present a petition from Mr. Gourlay, and bring forward a direct measure upon it, he would be met in the fullest and most distinct manner. What the hon. member desired more he could not understand. With regard to those reiterated, vague, and general attacks upon the character and conduct of sir T. Maitland, he protested against them, and he hoped the House would support him in so doing.—The hon. member said, that there had been a change of policy in sir T. Maitland's administration within the last four months. In reply to that, he challenged the hon. member to show any act of sir Thomas's government, during those four months, which differed from the acts of the previous eight months. According to the hon. member, the people of the islands were only kept down by the sword. He would state a few simple circumstances to the House; and would then ask, whether it was possible that this could be the fact? In the island of Corfu there were, at present, only 1,900 British troops. When the French occupied it there were 12,000. In that island there were 25,000 men capable of bearing arms. Was it likely that these 1,900 men could keep down a hostile population to such an amount? In Cephalonia the British troops did not exceed 500 men, whilst the population capable of bearing arms amounted to 35,000. In Santa Maura the British troops did not exceed 350 men, whilst the population capable of bearing arms amounted to 15,000. In the other islands there were not above 60 British soldiers. He would, therefore, ask the hon. member, whether he meant to say that the inhabitants of the Ionian Islands were kept down by such a mere handful of troops? If he did, was he not, by representing them as tamely submitting to this thraldom, degrading the parties in whose favour he pretended to come forward? The hon. member had also objected to the occupation of these islands, on the ground of the expense they occasioned. Now, the hon. member could not help knowing, that the military occupation of these islands by this country was defensible even on the ground of economy; for if we had them not, we should be obliged to keep a much larger garrison at Gibraltar. The hon. gentleman was perpetually referring to the establishments of 1792. Now, in 1792, the garrison of Gibraltar consisted of 4,421 men; while, at present it consisted only of 2,304 men. That the islanders were not discontented with the English government, another proof might be found in the result of the late elections. The hon. member had formerly stated, that these elections were a mere mockery; but he trusted he should never hear that assertion made again, after the documents which he was now about to read to the House. In Corfu, the qualification for voting was, the possession of property to the amount of about 70*l.* or 80*l.* a year. Now, it was clear that this was a qualification which could not entirely depend on the will and pleasure of the governor. In Corfu there were 520 electors; of these 462 actually voted, not by ballot as formerly, but *vivâ voce,* and with all the spirit of popular elections. In Cephalonia, where there were 430 electors, 370 voted. In Santa Maura, where there were 341 electors, 278 had voted. In Cerigo, where there were 170 electors, every man voted. The same was the case in Ithaca. Now, he would ask the hon. member, whether he meant to contend, that all these electors, representing, as they did, the bulk of the property of the islands, did not represent the feelings which actuated their inhabitants? He challenged the hon. member to produce a single proof of that dissatisfaction which he had stated to exist so generally in the islands. He would insist, that they were, at present, in a state of unexampled prosperity; that their revenue had increased a full seventh in amount, without any augmentation of taxes; and that the certainty of those taxes being applied to the civil purposes of the islands, had spread general content and satisfaction throughout them. He would also say, that justice was better administered, and the civil government better conducted, than it had ever been at any former period of their history; and that no act of tyranny had ever been committed by the gallant officer who had been so grossly vilified. He might further add, that certain individuals, who had been banished, had been recalled, and that no individual was now in banishment on account of any political offence he had committed. If the hon. member should not be satisfied with this statement, he should be ready to meet the hon. member, on this subject, whenever he should think proper to renew the attack.

Mr. *Grey Bennet* was convinced, that the beneficial changes which had recently been effected in the Ionian Islands, would never have been brought about, if his hon. friend had not directed the attention of parliament to the subject. It was true the House had negatived the accusations brought against sir T. Maitland; but every body who had been in the Ionian Islands admitted, that he had contrived to make the British name absolutely odious and detested. This fact had never been denied but by a succession of under-secretaries, who seemed to have a retaining fee to defend in that House the conduct of every governor.

Mr. Secretary *Peel* observed, that no part of the speech of the hon. member for Aberdeen had surprised him more than his protest against sweeping and general accusations. When the hon. member brought forward charges against absent individuals, he must be prepared to hear those charges repelled with warmth. He could not conceive a situation more delicate than that of an officer, in the discharge of arduous and painful duties, liable to such attacks and charges as the hon. member had thought proper to make. He considered his hon. friend to be quite justified in the warmth he had expressed, at the charges vaguely brought forward against sir T. Maitland. For what were those charges? Why, such as, if true, must cause the dismissal of that gallant officer. He had been called a scourge and a tyrant, and a disgrace to the British name. Was it fair that such attacks should be made upon a question like that now before the House, and without even giving the accused or his friends the advantage of a notice? On such an occasion, his hon. friend had been imperiously called upon to vindicate sir T. Maitland. Having for two years filled the office now so worthily occupied by his hon. friend, he begged to bear his testimony to the character of sir T. Maitland. Never had there lived a man actuated by a more sincere desire to promote the honour of the British name.

Lord *A. Hamilton* contended, that a public man was liable to have his conduct canvassed, and that the charges against sir T. Maitland were made against his public acts, and against his government. When he first heard the statements of his hon. friend, the impression upon his mind was, either that they were not true, or that sir T. Maitland must be removed from his government. There was one case, the infamy of which must rest either upon sir T. Maitland or the government. He meant the case of Martinengo, who was sentenced to ten years imprisonment. He would defy the whole talent of the Treasury-bench to tell what the charge against him was. If the government had not disclaimed that act, why had they thought proper to remit the sentence? The right hon. secretary of state had no right to say, that personal and vague charges were made against sir T. Maitland.

Mr. *Wynn* thought the manner in which these charges had been brought forward against sir T. Maitland was most extraordinary, most unjust, and most illiberal. The noble lord and the hon. member objected to the charges being described as personal, and yet sir T. Maitland was called a "scourge" and a "tyrant." The hon. member had thrown out his vague accusations, upon an occasion when no decision could be come to by the House upon them. Let him bring forward a distinct motion and specific charges, and then would be the time for meeting him with evidence to disprove his statements.

The resolution was agreed to.

BEER DUTIES BILL.]—The report of the committee on the Beer Duties acts being brought up,

Mr. *H. Sumner* expressed his doubt that abuses might be practised under the provisions of the bill. A brewer making the new description of beer might keep a house in which persons could drink it; and thus, in fact, maintain a public house without holding a licence.

The *Chancellor of the Exchequer* said, that no man keeping a public-house would be allowed to brew the new beer on his premises. There was a clause, providing, that a publican who wished to brew the new beer, should not brew within a certain distance of the house which he used as a public-house.

Mr. Alderman *Wood* said, that the bill professed to give the poor man a cheap beverage, while it subjected him to a charge from which the rich man, who brewed his own beer, was exempt. He thought it a hardship, that the publican, who paid high rent, was obliged to take out a licence, and was subjected to other burthens, should be prevented from selling the new sort of beer.

Mr. Alderman *Thompson* approved of the measure, as he thought it would enable the poorer classes to get malt liquor cheaper than they could at present. This reconciled him to the bill; though he did not deny, that it might slightly affect the public brewers and publicans.

Mr Alderman *Smith* thought it was desirable to get the public houses out of the hands of the brewers.

Mr. *Benett*, of Wilts, though he approved of the principle of the bill, thought it would be difficult to carry its details into effect. He preferred a malt to a beer tax; though his own personal interest would be affected by the former. He should be glad to find that the sale of beer was legalized, like that of all other commodities. This would promote the comfort of the labouring classes; who would thus be encouraged to send for their beer, and consume it with their families, instead of wasting their time, their money, and their health, in public-houses.

The *Chancellor of the Exchequer* said, he did not bring forward this measure as one free from objections; but, as the principle of the bill seemed to be generally admitted, he hoped a fair trial would be given to it.

Mr. *Grattan* wished the plan to be extended to Ireland, where a good beer, sold at a reasonable price, might, in some measure, supersede the use of spirits.

The *Chancellor of the Exchequer* observed, that there was no beer duty in Ireland.

Mr. *Grattan* said, he looked to the effect of having beer sold, without the necessity of a public-house licence.

The *Chancellor of the Exchequer* thought the sale of beer, without a licence, in Ireland, was a matter worthy of consideration.

Mr. *W. Williams* thought the provisions of the bill could be better carried into effect by an *ad valorem* duty on beer, than by the mode now proposed.

Mr. *F. Lewis* thought it would be perfectly practicable to impose a duty, *ad valorem*, on beer. The late chancellor of the exchequer had had in contemplation such a tax. He himself (Mr. F. L.) was convinced, that such a tax could be very accurately adjusted. The monopoly of beer had arisen, in a great measure, out of the uniformity in the quality of beer, necessitated by the present inartificial system of duties, which was as old as the time of Charles 2nd. By means of the saccharometer, the quality of beer could be accurately ascertained, and the duties apportioned accordingly.

Mr. *F. Buxton* objected to the measure, on the ground, that it imposed an unfair duty on the brewers, whose capitals were already embarked in the trade, while a lower rate of duty was imposed on the new race of brewers, which the bill was calculated to encourage.

The resolutions were agreed to.

MERCHANT VESSELS APPRENTICESHIP BILL.]—The report of this bill being brought up,

Mr. *Ricardo* said, he objected altogether to the principle of the bill. He thought it was a maxim, that no person ought to be controlled in his own arrangements, unless such control was rendered necessary by paramount political circumstances. Now, no such necessity could be shown in support of this bill. In his opinion, it would not be more unjust to enact a law, that every surgeon should take a certain number of apprentices, to encourage the progress of surgical science, than it would be to pass this bill, rendering it imperative on the masters of merchant vessels to take a given number of apprentices, in order to encourage the increase of efficient seamen. He denied that this bill would cause an addition of one seaman to the number now in the service. So long as there was employment for seamen, there would be encouragement enough for them; and when there was not, those who were now here, would resort to foreign countries for employ. The only effect of the bill would be, to reduce the wages of seamen; and that alone would render it objectionable. He would move, to leave out from the word "repealed," to the end of the bill, his object being, to remove the compulsory condition for taking a certain number of apprentices from the bill.

Mr. *Huskisson* agreed, that whenever any measure, interfering between employers and the individuals employed, was proposed, some strong necessity or political expediency ought to be shown for it. It had been the uniform policy of parliament, to maintain the maritime greatness and strength of this country, by measures which necessarily operated as restrictions upon individual convenience. On this principle the Navigation laws and Register acts were founded. The hon. member was not, perhaps, aware, that there were two descriptions of apprentices. There was one class in the nature of parish apprentices, whose service was compulsory; and another class who went to sea voluntarily, to acquire the science necessary to enable them to follow the profession of seamanship. As the law now stood, apprentices were liable to be impressed at the age of 18; but the present measure would protect both these classes of apprentices up to the age of 21. The bill would not only afford this protection to masters of merchant vessels, but would be highly beneficial to the naval interests of the country, by affording the best means of education to a race of skilful pilots and seamen.

Mr. *Sykes* complained of the great haste with which the bill was proceeded in, to the utter prevention of his constituents from informing themselves as to its nature and extent. He had hoped, that all new restraints upon commerce were at an end.

Sir *G. Cockburn* said, that the principal merchants and ship-owners had been consulted as to the expediency of this measure, and that all had considered it as a boon extended to the interest with which they were connected. By the protection afforded under this bill, apprentices in merchant vessels might now, for the first time, become second and first mates, without being liable to impressment.

Mr. *Marryat* said, he had been for forty years extensively engaged in the shipping trade, and the experience he had derived from this circumstance, induced him to give his hearty support to the bill. It was, with him, a rule never to advance any seaman, unless he had served regularly by apprenticeship. Much had been urged respecting a free trade, and the advantage of removing all restrictions; but if the opinions of the advocates for non-restriction were pushed to their full extent, horses would not be broken in, nor children be made to go to school, for these were restrictions. Buonaparte had once said, that if he had a throne of adamant, he believed the political economists would grind it to powder. In like manner, the political economists in this country were ready to grind the navy and shipping interests to powder, rather than abandon their favourite theories.

Mr. *Bernal* was unfavourable to the principle of the bill; but, as the amendment, if carried, would take away the benefit given by the bill, of extending the exemption from impressment, he trusted his hon. friend would not press it.

Mr. *Gladstone* supported the bill, and concurred in the statement, that it had received the unqualified approbation of the ship-owners.

Sir *I. Coffin* approved of the bill, not only because it afforded additional protection to the merchant service, but because it was calculated to maintain the naval strength of the country.

Mr. *Bright* expressed his approbation of the bill, which was, however, rather a modification of the existing law, than a new measure; for, by the 2nd and 3rd of Anne, which had never been repealed, masters of all vessels, of above 30 tons, were bound to take one or more apprentices, according to the rate of tonnage.

Mr. *Hume* recommended his hon. friend to persevere in his opposition to a measure which was about as useful and politic as a statute of one of the Edwards for the better stuffing of feather-beds. There was as little reason for the regulations imposed by this bill on the masters of merchant vessels, as there was in that instance for an interference with the craft of the upholsterers. If the bill were to pass into a law, the effect would be to man the whole of the merchant ships with apprentices. It had been alleged, that seamen were scarce and wages high, and that this bill would tend to increase the numbers and diminish the rate of wages. But, if it were true, that the supply of seamen was not at present equal to the demand, the well-known principle would draw more men to the employment. The chief objection to the bill, however, was the principle of compulsion, by which it was supposed that seamen would be taught their duty. Now, it was well known, that we had had the very best of seamen without the operation of any such principle; and if so, coercion could do nothing but harm. This coercive system would, in fact, create a supply beyond the demand, and could not fail of being mischievous. His hon. friend did not object to the whole of the bill, but to the compulsory clause. If that were withdrawn, he would allow the rest of the bill to pass.

The House then divided: For the Amendment, 6; Against it, 85.

List of the Minority.

Bennet, hon. H. G.
Grenfell, Pascoe
Smith, Robert
Sykes, D.
Whitmore, W. W.
Wyvill, M.

TELLERS.

Ricardo, D.
Hume, J.

Warehousing Bill.]—On the motion of Mr. Wallace, this bill was recommitted.

Mr. *Grattan* objected to that part of the bill which allowed of the warehousing of foreign linens, without the paying of a transit duty, as most injurious to the staple trade of Ireland.

Mr. *Wallace* did not wish to prejudge any part of the question. He did not consider himself as pledged to any one side; but he thought that those who objected to the bill were bound to point out the injury that it would do.

Sir *G. Hill* complained that, after what had been done with respect to Ireland last year, sufficient notice had not been given to enable the persons interested in the subject to offer their opposition to the measure. Notwithstanding this, it was now proposed to legislate in their absence, and he could not help thinking it was unfair. He complained particularly of the hardship which the enforcement of a transit duty would be upon the Irish manufacturers.

Mr. *Wallace* deprecated the imputation of unfairness. He had stated last year, that if Ireland was to be exempted then, it must not be considered as a permanent exemption. The only ground upon which the exemption had then been made was, the distressed situation of the country, and the inconvenience of bringing the matter under discussion. He was willing to give every reasonable time, and he thought that the 21st of April would afford time enough to convey hither the grounds of the opposition which the manufacturers of Ireland proposed to make to the bill.

Mr. *S. Rice* thought the course pursued by his right hon. friend was the just one. He contended, that the general principle was in his favour, and he left it to those who opposed him to make out the special case on which they relied.

Mr. Secretary *Peel* stated, that what his right hon. friend had done, was given rather as a notice than as a final decision. The question of the linen-trade of Ireland appeared to him to proceed on a distinct and peculiar principle, and could not be considered with reference to the general principle by which the commerce of this country was regulated. The point to be looked to was, how the linen-trade could best be extended and supported, so as to render the greatest portion of benefit to the people of Ireland. He viewed that trade with much interest, not only because it was intimately connected with the peace and tranquillity of Ireland, but because it was associated with certain historical recollections. The linen-trade was given to Ireland by a great monarch. Every thing was done to discourage the woollen-trade of Ireland, and to encourage that of England; but at the same time a solemn promise was given that the linen-trade of Ireland should be fostered and encouraged. When the subject came to be discussed, he should approach it with these feelings.

Mr. Wallace then moved several amendments to the bill; which were agreed to.

Riot at the Dublin Theatre.]—Colonel *Barry* said, he rose to move for the production of certain papers relative to the subject matter of a discussion which was to take place on the 15th of next month. He was induced to do so, because he thought it of great importance, that all documents tending to throw light on that question, should be previously before the House. The paper he would first move for was, a Copy of the Information on which was grounded the committal of some persons to the Gaol of Newgate, in Dublin, on a charge of a Conspiracy to murder the Lord Lieutenant. He would state the particulars of the transaction as they took place. On the 14th of December, the transaction to which he alluded originated. On the day after, some persons were taken up, and brought before the police magistrates; two were charged with a conspiracy to riot, and committed to Newgate, on a committal specifying only the simple crime of riot or conspiracy to riot. Those two persons, named Hanbridge and Graham, were committed to Newgate on the 23rd of December. After a little time, warrants of detainer were lodged, charging them with a conspiracy "to kill and murder" the lord-lieutenant. Thus it was evident, that the charge of conspiracy to murder was not hastily made. On the same day a person named James Forbes, was taken, and committed on the same charge. Now, when the right hon. gentleman came before the sessions to prosecute, he stated that he did not think it advisable to proceed on the capital charge; for it was better that government should be accused of leaning to the side of lenity, rather than that of severity. Bills of indictment for a conspiracy to riot were eventually preferred, which were thrown out by the grand jury, and the right hon. gentleman filed informations *ex-officio*, the result of which was well known. He (colonel B.) did not bring the subject forward before; for, until his majesty's attorney-general entered a *nolle prosequi*, good reasons might exist, why the information of the crown should not be produced. But, as that had been entered, he conceived there was no longer ground to refuse the information. It might, indeed, be made an objection, that the magistrates who committed would be inconvenienced, and be liable to private actions for the committal. But, if those committals stood on the grounds of justice, the magistrates had nothing to fear. He believed, that unless malice could be brought home to magistrates, or a corrupt motive, they were not liable to pay in damages the consequences of their official acts. The charge of a capital offence had naturally excited the public abhorrence against the prisoners; and, while particular injury was done to them, by the refusal of bail, an unjust stigma was cast upon a large body of persons in Ireland, by its being supposed that they were all capable of forming a plan to murder the king's representative. He did not believe there was a man in Ireland, who, after the development of the facts upon the trial of the *ex-officio* informations, believed there was any ground for the capital charge. It was of great moment, that this question should be understood. If the motion were resisted, it would be the means of preventing the light from being thrown upon it, which was necessary to a clear understanding of the case. He would move, for "Copies of the Informations charging James Forbes, George Graham, and Henry Hanbridge, with a Conspiracy to kill and murder his Excellency the Lord Lieutenant of Ireland, upon which the Committals of the said persons to his Majesty's Gaol of Newgate, in the City of Dublin, on the 23rd of December last, were founded."

Mr. *Plunkett* said, that so far as he was personally concerned in this question, he was desirous that every document should be brought before the House and the public; but whatever individual feelings he might entertain, he could not submit to the establishment of a precedent subversive of the ends of justice. He acknowledged the temper of propriety with which the right hon. member had brought forward his motion: he must suppose that he was actuated by a zeal for justice: he must suppose, that no individual object mixed itself with the subject, and that it was not brought forward from any union of views with the class of persons who were the objects of prosecution: he must, in courtesy, suppose, that it was brought forward, not with any view to embarrass the Irish government, or the humble individual now before the House. But, though he was not at liberty to find fault with the motives of the right hon. member, he must complain of the effects. It would be in the recollection of the House, that the hon. member for Armagh (Mr. Brownlow) had moved for the production of papers relative to the committal of the same persons. That hon. member had moved for copies of the bills of indictment which had been ignored by the grand jury, as well as for copies of the *ex-officio* informations. He must believe, that the object of such motions was to bring the conduct of the Irish government and its law advisers under the review of the House. Now, if the right hon. gentleman considered it unconstitutional to put men on their trial a second time, as it were, by *ex-officio* information after the decision of a grand jury, the conduct of the right hon. gentleman in the present instance afforded a strange illustration of his own doctrine; for he was not content that he (Mr. Plunkett) should be once put on his trial by the motion of the hon. member for Armagh, but he would oblige him to go into another vindication of the part which he had taken in the same transaction. He believed the House would very willingly excuse him for following the right hon. gentleman into the particulars which accompanied the committal; but, in justice to the Irish government, he could not omit stating the circumstances attending that transaction. He would, therefore, state them; and he would do so, without having had the slightest expectation of being thus called on. On the 14th of December, the lord-lieutenant went to the theatre. Before he went, it was publicly announced, that there would be a riot at the theatre. Information was given to his excellency, that his person would be endangered. Measures were taken in consequence, which, as afterwards appeared, were ineffectual. The night of the visit arrived, and there was a considerable tumult. Immediately on the lord-lieutenant coming in, the tumult commenced. A general sentiment of approbation of his excellency was expressed by the unbought and unpacked portion of the audience; but it was attempted to be drowned in the violent hisses and groans of the rioters in different parts. But they did not confine themselves to such extemporaneous expressions of feeling as hisses and groans; they dropped down printed hand-bills, containing vulgar and illiberal attacks on the lord-lieutenant, and mottoes of "No Popery," as well as personal insults. It was observed, that between the persons in the pit and gallery, there were signals which afforded evidence of previous concert. In particular, there was a party on the left-hand side of the gallery, who made a violent uproar, by hissing and uttering expressions the most insulting and offensive, and it was remarked, that their expressions were not merely directed against the marquis Wellesley, either in his private capacity, or as lord-lieutenant of Ireland, but were directed also against the Roman Catholic population in general. The cries of "No Popery!" "Down with the Popish government!" were reiterated, and that sort of disturbance continued, until the play was over, and the tune of "God save the King" called for. Now, it was of importance to know, that in the box in which his excellency sat, he was by a projection so secured against any mischief from the gallery while he sat back, that it was almost impossible to reach him by a missile from that part of the House. When the tune was called for, his excellency stood up, and advanced to the front of the box, where he became a distinct object to several parts of the house to which he was not visible before. Just then a bottle was thrown from the upper gallery, which passed over the pit, and hit the drop-scene or curtain half way between the centre and the place where his excellency stood. This he could not look on as any light or trivial matter; though some persons seemed to think it a good joke. Three witnesses distinctly stated that it was thrown at the lord-lieutenant, though, when the fact was alluded to by the right hon. gentleman, he (Mr. P.) thought he heard something like merriment, some "peals of devilish laughter." But he would stand on the judgment of the House and the public, whether it was a *jeu d'esprit* to throw a bottle at the king's representative in the public theatre [Hear, hear !]. He hoped the forms of the House would be preserved, and that he should not be interrupted; but that hon. gentlemen would restrain themselves till he had finished, when they might reply to him. When the bottle had been thrown at the head of the lord-lieutenant, a person who had been very active with a watchman's rattle, was observed to break it in two, and to fling one of the pieces, which hit the box of the lord-lieutenant with such force as to cut the cushion, and leave a deep impression, whence it rebounded, and fell on the stage. These facts were beyond all controversy proved in evidence. It was also proved, that while this was going on, a number of persons were using whistles to create confusion, and that several persons were in the upper gallery armed with bludgeons, and a number of the audience were severely beaten by them. It was clearly proved, that a person named Handbridge had thrown the bottle, that the rattle was flung by a man named Graham, and that a person named Forbes had been one of the principal planners and contrivers of the whole attack. He was observed in the corner of the lattices at the left-hand side of the gallery, communicating with those persons who had discharged the missiles on the left. As to Handbridge, his conduct was taken notice of by a person who never took his eye off him, until he saw him safely lodged in the police-office. These facts occurred on the Saturday night; and some persons were then taken up, who underwent investigation. When he (Mr. P.) was consulted, he was now free to say, that his impression on the first view, was, that the disturbance involved nothing more than a misdemeanor. The investigation continued about seven days. It appeared that Forbes, on being released, had gone to a tavern in Essex-street, where he was met by others; and there he talked of the throwing of the missiles and other particulars of the riot. He spoke of himself as having been involved in the riot, and to that extent which might affect his life. He said he knew he might be transported to Botany Bay; but he had no objection to go there, provided he could raise an Orange Lodge in his place of banishment; that he had only one life, and would freely sacrifice it for the cause. He stated, that the bottle and the other instruments were badly aimed; he regretted they had not hit their object; and, what was more material, he stated his hope that the same efforts would be renewed another time, and be more effectual. Now, all this had been proved by two witnesses on oath, on whose testimony not the slightest imputation had been cast. One of them was a Mr. Farrell, an attorney, the other was a Mr. Troy, a respectable silk-mercer, and he believed their evidence was beyond all imputation. When he (Mr. P.) had heard the testimony of those persons, the whole transaction assumed a different character. Instead of an aggravated riot, in which the danger to the life of the lord-lieutenant was only consequential, it appeared a direct attack on the person and life of his excellency. He gave his advice accordingly; and, under the same circumstances, he would do so again. He had thereby discharged his duty to the crown and the public, in the most conscientious manner, and to the best of his ability. The right hon. gentleman was wrong, however, if he thought that the committal bound him as prosecutor to a particular mode of trial. He seemed to think it criminal to commit on a capital charge, and not to follow it up by a capital indictment. But, nothing was more familiar in practice; and, indeed, it would be highly injurious to the prisoner, if, on further investigation, something was discovered which did not bear out the capital charge, and he was to be put on trial for his life.—He would now state what had determined him to forego the capital accusation. He was as anxious as any one that the public mind should be disabused; and if he were now asked if he thought there was a conspiracy to murder, he would say he did not think there was; and, if he were on his oath, in the jury-box, he would, on such a charge, have acquitted the prisoners. But the circumstance which induced him to alter his opinion was, that although convinced in his conscience that the party accused entered into a conspiracy to commit crime of as deep a malignity as that with which they were charged, yet it was not what the law exactly recognized as capital. These men were guilty of a deliberate conspiracy, not to murder, but to compel the lord-lieutenant to change the measures of his government—measures for governing all the people of Ireland by the aid of equal law, without distinction of party or opinion. Yes, against that unprecedented anomaly of equal law in Ireland, was that conspiracy formed.—He would now tell the House of what nature it was. After the king had declared his intention, in his parting letter, of discountenancing party animosities—after he had declared his wish that sentiments of irritation should no longer be encouraged, and had recommended that party toasts should no longer be given—the lord-lieutenant directed, that an anniversary which revived remembrances of their having been a conquered people should be discontinued. Some persons in the city of Dublin who had been in the habit of celebrating those days, were highly exasperated; and four or five persons, members of Orange lodges, consulted together, and it was declared, that the lord-lieutenant's visit to the theatre would be a good opportunity to insult him, and make him unpopular, and would make it also be believed by the government in England, that he was so: he was to be insulted, for the purpose of forcing him to quit the theatre, and ultimately the country. Subscriptions were raised for the purpose of packing the theatre, and filling it with persons from the Orange lodges. The money was raised in an Orange lodge of a higher description, by persons who could find money for themselves, and furnish it for the admission of others. They accordingly met, having deliberately formed this plan. Parties from a particular lodge were to go to the pit door, and seize that part of the theatre near which the lord-lieutenant was to sit. Three persons, members of this lodge, went to the theatre on Saturday morning, and purchased a sufficiency of pit tickets to admit sixty or seventy persons to the one-shilling gallery; three going in on one pit ticket. Those persons went to the lodge in Ship-street, where an inferior lodge met. Forbes was one of the persons, but he had not been present at the first meeting. From that place men were sent to the theatre armed with bludgeons, and infuriated with whiskey. Forbes accompanied them; and, besides assisting them to the bludgeons, furnished them with instructions to compel the lord-lieutenant to leave the theatre. Could this malicious intention possibly be effected without danger to the life of the lord-lieutenant? Was it probable that the citizens of Dublin would be passive, when such an outrage was offered to their feelings, and such disgraceful violence attempted in their presence? But the rioters seemed to be perfectly indifferent to consequences, so long as they had a prospect of being able to counteract the king's commands. The principal object being to compel the lord-lieutenant to change his measures, or to leave the government, the danger to his life was but consequential, not direct; and that was not the case which sustained the capital charge. Bills of indictment were sent up to the grand jury, not on the capital charge, but for a conspiracy to riot. He would now ask, whether it was a violation of duty that, in the progress of the inquiry, he had given his advice conscientiously, according to what appeared on the face of the evidence, whether a capital charge, or bills of indictment for the minor offence should be preferred? It seemed, however, he was liable to be arraigned in parliament for that advice; and whether any improper motive could be attributed to the right hon. gentleman for arraigning his official conduct or not, he certainly could not blame his love of freedom, his constitutional zeal, and his anxiety lest the exercise of the prerogative should be overstrained. If the case had been opposite to what it was—if the dressing of king William's statue had been protected by the lord-lieutenant, and a popish mob had gone to the theatre and assailed his excellency, for such conduct, he (Mr. P.) was bound to believe, that the right hon. gentleman, and those who supported him, would have acted as they did on the present occasion. For his part, he could conscientiously say, that if he, under such circumstances, had the honour of holding the situation he now did, he should have thought it his duty to pursue the same course. It was not, with respect to one part of the subject, quite so great a novelty to commit for the capital offence, and afterwards to prosecute for the minor, as the right hon. gentleman seemed to suppose. He might recollect a case of that sort which occurred at no distant period. Did the right hon gentleman forget that, within less than twelve months, a number of Ribbonmen were arrested in Ireland, and committed on a charge of high treason, but were never since prosecuted at all? He (Mr. P.) did not remember that this circumstance had wrung the conscience of the right hon. gentleman, or he was bound to suppose it would have been brought before parliament, as well as the subject of the present motion. If the House asked why he rose to oppose the production of the documents demanded? he would answer, because it would be a violation of the constitution to grant them—because it would be a proceeding without pecedent, to supply the informations upon which persons had been committed under such circumstances. He would say further, that it would be unjust to the magistrates who acted in the case, and who were liable to be prosecuted by the accused parties for having committed them, to put into the hands of the latter beforehand the grounds upon which the magistrates had proceeded. He had never heard of an instance where such a step had been taken. It would be a dangerous precedent to adopt at any time, for no man would come forward and give information against others, if the seal of secrecy, under which he gave it, were to be broken before the whole case underwent the investigation in a court of justice. He could not therefore but regret that the right hon. gentleman, in his zeal to support the laws and constitution, had not chosen a better occasion for the experiment. Some excuse, of course, must be made for a first attempt to preserve the constitution and limit the prerogative; nor did he despair, that in future the right hon. gentleman's efforts might be better directed. For himself, he thought it would be neither fair, nor honourable, nor constitutional, to consent to the motion before the House; but while he resisted it, he was desirous to show, that the power which the Irish government possessed had not been influenced by malice or party spirit.

Dr. *Lushington* denied the correctness of the opinion which had been just expressed by the attorney-general for Ireland, that informations before a magistrate were given under the seal of secrecy. So far was this from being the case, that he considered secrecy of that sort incompatible with justice to the public. If the principle were adopted, it would give rise to a system of espionage, under which the freedom of the people might be annihilated. The lives of British subjects might be assailed by those who dared not avow the evidence on which they acted; and despotism might be thus established. Much as he reverenced the character of the right hon. and learned gentleman, he must say, that his doctrine struck at the root of the administration of justice. He did not say but cases might arise, in which it would be proper to withhold informations. But they must be peculiar cases, and at peculiar periods; such as those in which the Habeas Corpus act would be suspended. In short, he thought the attorney-general for Ireland had totally failed in answering the right hon. member for Cavan, and he should therefore support the motion. He was unwilling, however, that any misconception of his opinions should go abroad. He sincerely wished, that a fair and full opportunity should be given to the Irish government to justify its conduct during the late prosecutions. God knew all his feelings were in favour of the right hon. and learned gentleman, and against the right hon. member for Cavan. But, if the House were deprived of a knowledge of the grounds on which the Irish administration had proceeded, and the informations on which the commitments had taken place, how was parliament to decide the question at issue? Taking the statement which had been made that night as true, it was easy for the attorney-general for Ireland to come to a decision; but it was hardly fair in him to refuse the other party the same evidence upon which his own judgment was founded. No magistrate should commit to prison, unless he was satisfied that the informations would fully justify the committal. Was a man to be put in gaol at the will of a magistrate? Was no security to be left for the lives and happiness of individuals? Having now heard the statement of the attorney-general for Ireland, he had strong doubts of the justice of the late proceedings in that country. It was said, the lord-lieutenant was attacked with missiles; but it was added, that his excellency was at the time in a situation of perfect safety.

It was rather strange, if the intention was to murder the lord-lieutenant, that such were the circumstances under which it was attempted. What, too, were the weapons employed? Was it possible, that, in the whole city of Dublin, a pistol could not be found, which would at once have effected the purpose of the conspirators? A bottle, indeed, was thrown, and half a rattle was sent after it; but no injury was done. The first and best opinion of the right hon. and learned gentleman was, that the conspiracy was only one to commit a riot; and he certainly had not informed the House of any thing, which could warrant the change of sentiment that had afterwards taken place. There was nothing in the previous meetings of the Orangemen, which showed an intention to murder. That there was a conspiracy to riot, appeared evident; and those concerned in it, deserved the severest penalty which the law could inflict on them. What, after nine days deliberation, led the attorney-general to change his opinion, he did not know; nor what afterwards caused him to change that opinion back again. First, he considered the crime a conspiracy to riot; then, a conspiracy to murder; and lastly, a conspiracy to riot. Was it not, then, a little too much, when the evidence was such as to excite so many doubts in the mind of the learned gentleman, as to the right judgment which he ought to form of the case, to ask that House to come to a decision, without opening to it every source of knowledge within the power of parliament, and the law of the land? It was essential to the welfare of the country, that the present motion should be carried. The question was, whether the critical circumstances in which Ireland was placed, justified the exercise of a right which had not been used since the Revolution; and which, in his opinion, nothing less than the strongest case, the clearest evidence, and the utmost necessity could justify.

Mr. Secretary *Peel* said, that the question was, whether certain informations, upon which the magistrates had committed some persons, accused, in those informations, of a conspiracy to murder the king's representative, should be placed before the House? He must say, that he did consider a great part of the hon. and learned gentleman's speech had been completely beside this question. These were *ex-officio* informations, the House would observe; and, surely, it was most extraordinary, that the hon. member for Armagh, who had given notice of a similar motion to the present, had not included in his notice these informations. It was not less extraordinary in his right hon. friend, the member for Cavan, to have moved for these papers immediately after the hon. member for Armagh had gone out of town, and the hon. secretary for Ireland had returned to his discharge of his official duties in that country. The question was, whether the magistrates in this case had, or had not, exercised a proper discretion in committing the parties? If so, it was contended, these informations might be produced. But he answered, that they were not necessary for the purposes of the present motion. If they were not, was it desirable, on any other grounds, that this information should be laid before the House? It was admitted, that if the parties had been improperly committed, they might have their actions against the magistrates. Now, was it consonant to practice, that in such a case the House should interfere, the remedy being admitted to reside in a court of law? And if this remedy was so to be administered in a court of law, such a court would be the proper place for the production of these papers. To produce them now, would be extremely unjust towards the parties who might be thus put on their trial. It was impossible that these informations, were they even furnished, could give as much information upon the matter as the evidence adduced by the parties when put upon their trial. On these sound and parliamentary principles, he could not concur in the present motion.

Mr. *Abercromby* agreed with the right hon. secretary, that the real question was confined in a narrow compass, but differed from him in the opinion, that the present motion was not connected with that of the hon. member for Armagh. They both referred to the same subject. The motion of the hon. member for Armagh did not turn upon the legality of the act, which the attorney-general for Ireland had done, but upon the constitutional exercise of the power which he possessed. This being the case, the whole of the proceedings connected with the exercise of that power in filing of the *ex-officio* information, ought to be laid before parliament. At present, but a portion of them was in the possession of the

House; and this arose from the error which had been fallen into when the subject was first introduced. By granting the papers demanded by the hon. member for Armagh, parliament had admitted, that a case existed for investigation, and could only do justice, by granting all the documents relative to that case.

Sir *J. Newport* was of opinion, that the papers ought not to be produced, because their production might tend to obstruct the course of justice. He did not think them necessary to enable the House to come to a just decision upon the question. The reasoning of his learned friend who had just sat down, amounted to nothing more than this — that the House having already embarked in error, ought to proceed in that course. The motion was liable to a strong objection, which did not apply to the former motion; namely, that by the production of the papers, third parties would be liable to have actions brought against them, and to the infliction of penalties. He should vote against it.

Lord *A. Hamilton* could not see why the production of the documents should be opposed by the friends of the magistrates, unless it was because those individuals had acted improperly.

Mr. *Spring Rice* said, that the question involved in the present motion was, whether Ireland should continue to be governed by law, or be thrown back again into the arms of that detestable faction from which it had been recently delivered. If the House wished to rescue that country from the unfortunate state of division in which it had been placed, it ought not, directly or indirectly, to countenance that party in Ireland which considered itself aggrieved, not by the particular transaction to which the motion referred, but by the whole conduct of the existing Irish government, and by the principle of conciliation on which it proceeded. He was sorry to hear the manner in which the intentions of the rioters in the Dublin theatre had been spoken of. Much ridicule had been attempted to be thrown on their proceedings, by a recurrence to the words "rattle" and "bottle." He hoped that the object of the parties would not be lost sight of, in consequence of the attempt which was made to attach ridicule to the instruments which they had employed.

Mr. *Grattan* professed himself such a lover of publicity, in all cases where the liberty of the subject was concerned, that he would vote for the present motion. There seemed to have been a good deal of confusion as to the commitments, but every one knew the nature of the Irish government. The lord-lieutenant held one opinion and the chief secretary another; the attorney-general held one opinion and the solicitor-general another; so that the only wonder was, how any person happened to be committed at all. But, while he felt himself bound to support the present motion from principle, he was anxious to express his approbation of the conduct of the attorney-general for Ireland, who had done an act more calculated to benefit Ireland than any that had taken place during the last fifty years. The attempt by *ex-officio* informations to put down the spirit of party, was one that, under the circumstances, called for his warmest applause.

Dr. *Phillimore* complained, that his right hon. friend had been unfairly dealt with by the clandestine manner in which this serious charge had been brought forward. The real question before the House was, whether the king's benevolent intention to promote peace and conciliation was to be carried into effect, *bonâ fide*, or not. The production of the papers could not possibly promote that object.

Mr. *Lambton* said, that if he could persuade himself that the only object of the present motion was to afford a triumph to a faction in Ireland, he would give a different vote to that which he intended to give. But he could not understand how that could in any way be construed to be the object and end of the motion. Was the House to be told, that because faction existed to a lamentable extent in Ireland, they were not to inquire into a particular case of abuse in the administration of justice in that country, when it was brought under their notice? If that doctrine were recognized, there would be an end to all law—there would be an end to the confidence which the people placed in the House of Commons as the ultimate tribunal of justice. In his opinion, a *primâ facie* case of injustice and unconstitutional conduct had been made out against the attorney-general for Ireland. He trusted that that learned gentleman would be able to clear his conduct, for the honour of the laws and of those principles of justice which he had once so eloquently supported; but he also trusted, that the learned gentleman would excuse him for saying, that he did not anticipate, from what he had heard that night, that he would be able to do so. Without meaning to excite ideas of ridicule, he must be allowed to express his opinion, that if it had been the intention of the rioters to murder the lord-lieutenant, they would have employed more efficient weapons than a bottle or a rattle. He had been given to understand, that some persons had taken the trouble to ascertain whether it was possible to throw a bottle in the direction in which it had been stated that the bottle was thrown at the lord-lieutenant. In the prosecution of that inquiry, no bottle which had been cast had failed to be broken to pieces; but it appeared that the bottle which was thrown at the lord-lieutenant with a murderous intention was still unbroken. He mentioned that circumstance to show the improbability of the whole story. He regretted the existence of faction in Ireland as much as any man could. He disapproved as strongly of the Orange party, which the right hon. mover was supposed to favour; but still he thought he had a right to call for the papers which referred to an act of greater constitutional injustice than had ever taken place since the time of the Revolution.

Lord *Hotham* said, he would vote for the motion, as it did not appear that any inconvenience would arise from the production of the papers.

Colonel *Trench* declared himself in favour of the motion, but not as an Orangeman. Those societies he considered destructive of the public tranquillity.

Colonel *Barry*, in reply, defended himself from the charge of having taken the attorney-general by surprise, as he had submitted the motion to him on Wednesday, as well as to the secretary for Ireland, before his departure. He disclaimed all wish of governing Ireland, by dividing its inhabitants into factions. He was as sincere a friend to conciliation as any man; but he was, nevertheless, of opinion, that Ireland could not be conciliated, without justice being administered equally to all parties. He could wish that there were neither Orangemen nor United Irishmen in Ireland; but, as those associations had been mentioned, he must beg leave to say, that the Orange societies were founded upon principles which partook much more of the nature of defensive, than offensive associations.

The House divided: Ayes, 32; Noes, 48.

List of the Minority.

Abercromby, hon. J.
Baring, sir T.
Bright, H.
Boughey, sir J. F.
Bennet, hon. H. G.
Claughton, T.
Colburne, N. R.
Creevey, T.
Downie, R.
Duncannon, visc.
Fergusson, sir R.
Fane, J.
Grattan, J.
Hart, G.
Haldimand, W.
Hotham, lord
Hamilton, lord A.
Hume, J.
Lambton, J. G.
Marjoribanks, S.
O'Neil, hon. J.
Pares, T.
Philips, G. sen.
Pakenham, hon. R.
Robarts, G.
Sefton, earl of
Tulk, C. A.
Thompson, ald.
Trench, F.
Wilson, sir R.
Wells, J.
Williams, W.

TELLERS.

Barry, right hon. J.
Lushington, Dr.

MILITARY AND NAVAL PENSIONS BILL.]—The *Chancellor of the Exchequer* said, that, as the act of the last session had only given the trustees of naval and military pensions the power of making agreements for the sale of them from year to year, and as, by some inexplicable omission, it had not given them the power of making an agreement for the sale of them for a term of years, he now came forward, to ask for leave to bring in a bill to remedy that omission. He did not know whether, under such circumstances, it would be necessary for him to trouble the House with an account of the bargain which the trustees had recently made, for sale of part of those annuities; as, however, the hour was a late one, he would confine himself to merely moving for leave to bring in a bill "to confirm an Agreement entered into by the Trustees, under an act of the last session, for apportioning the burthen occasioned by the Military and Naval Pensions and Civil Superannuations, with the Governor and Company of the Bank of England."

Mr. *Baring* said, that, as no agreement with the Bank of such a nature as that to which allusion had just been made, could be concluded without the sanction of parliament, and, as the first vote of the House in favour of it, was generally considered to give such sanction, leave to bring in the bill should not be given as a mere matter of course. He, therefore, suggested the propriety of introducing this bill in a committee of the whole House.

Mr. *Grenfell* said, that, as this transaction went to raise money by way of loan, it ought to be introduced in a committee of the whole House. As to the bargain which had been made with the Bank, he should certainly object to it; not that he considered it at all unfair for the Bank to accept it; but he thought it would be more advantageous to the public, for the commissioners for the reduction of the national debt to take the management of those annuities into their own hands.

The *Speaker* said, he thought there was no occasion for going into a committee of the whole House, for the purpose of introducing this bill. The present act of parliament enabled the trustees to make the bargain from year to year: it was clear, therefore, that they had the power of making it for the present year. The bill which the chancellor of the exchequer now wished to introduce, was to enable government to make the bargain for five years; and was, therefore, only a bill to amend the existing act. The reason why the House went into a committee upon a loan, was, that the loan was generally raised for the service of the current year. Now, the trustees had received power to sell annuities for the present year; and, therefore, he was of opinion, that the bill might be introduced without going into a committee.

Leave was given to bring in the bill.

ARUNDEL ELECTION — MR. PARKINS'S RECOGNIZANCES.] — Mr. *Hume* said, he had a petition to present from Mr. Joseph Wilfrid Parkins. The petition stated, that the petitioner had that day attended at the House, to enter into the requisite recognizances to prosecute his petition against the election of Mr. Kemp, for the borough of Arundel, accompanied by one of his sureties, Joseph Stevenson, and his agent, Henry Taylor; but that his other surety did not attend. The petition went on to declare, that, in consequence of the representations made by the petitioner and his agent, the consideration of the validity of his recognizances was postponed till eight o'clock that evening; that at that hour he again attended, with one of the sureties; but that the other, whose name was Wm. Harris, did not even then appear, and, as the petitioner verily believed, voluntarily refused to attend. The petitioner, therefore, prayed the House to extend the time for his entering into recognizances. The act was imperative, that the recognizances in question, should be entered into before 12 that night (it was then 1 o'clock); but, perhaps, under the circumstances which had been stated, the House would feel inclined to extend the time to a further day.

Sir *T. Baring* was of opinion, that no grounds had been laid for the indulgence requested. He understood that a letter had been received from Mr. Harris, who was an auctioneer, stating, that he was that day attending the appraisement of goods, and that it was therefore quite impossible that he could spare time to attend the House.

Mr. *Wynn* contended, that it was quite impossible for the House to accede to the prayer of the petition. The petition did not contain any allegation that Mr. Harris had promised to attend. If petitions so loosely worded were once admitted as just grounds for extending the time of entering into recognizances, the 14 days allowed might always be enlarged to 28; as it would be easy to state that a surety had refused to attend at the time and place which the act specified.

Mr. *Hume* said, he had asked Mr. Parkins whether he had any written document, from which it could be shown, that Mr. Harris had undertaken to become his surety. Mr. Parkins replied in the negative; but added, that both his sureties had voluntarily offered to become so. The hon. member concluded by moving, that the time for entering into recognizances be extended till that day week.

The motion not being seconded, fell to the ground. After which, the order of the day for taking into consideration the petition against the return of Mr. Kempt, was discharged.

HOUSE OF COMMONS.

Tuesday, March 25.

CAPE BRETON—PETITION COMPLAINING OF UNION WITH NOVA SCOTIA.]—Mr. *Hume* said, he held in his hand a petition from a numerous body of the freeholders and others of the town of Sydney, in the island of Cape Breton, which he considered to be most important, involving, as it did, principles not confined to Cape Breton, but applicable to every colony in his majesty's dominions. That the House might better understand the prayer of the petition, it was necessary to recall to their minds that, at the close of the war of 1763, certain colonies were ceded to Great Britain. Among them was the island of Cape Breton, which was immediately placed under the government-general of Nova Scotia, exactly as Dominica, St. Vincent's, Grenada, and Barbadoes, were placed under the government-general of Grenada. By his prerogative the king in council had a right to issue such orders and directions in the case of colonies, obtained either by cession or by conquest, as might enable the government of those colonies to be beneficially carried on, until, either by the king's own act or by parliament, the king became divested of that particular prerogative. This was by no means a doubtful point.—The hon. gentleman here read an opinion of lord Mansfield to the above effect, and added, that when once the king had divested himself of that particular prerogative, he could not interfere, without the sanction of parliament, in the government and regulation of whatever colony was in question.—The case had been gone into minutely in 1774, when a plea was set forth, on the part of the crown, to levy a 4½ per cent duty on Grenada. That colony had been conveyed to Great Britain by treaty in February; and, by a proclamation from his majesty in October of the same year, a separate government was established in it, and a power granted of carrying on the same; by which proclamation, therefore, his majesty divested himself of the prerogative which he had until then possessed of making laws, of levying duties, or of in any other way interfering with the internal government of the colony. This was distinctly established in 1774; when the case was forcibly argued on both sides. By proclamations of that nature the immediate royal authority in Dominica, St. Vincent's, Grenada, and Barbadoes, had been relinquished, and separate governments established in each in the shape of assemblies, who were authorized to pass laws, to levy taxes, and to do every thing that was neccessary for those colonies, adhering to the spirit of the laws of England, and from time to time submitting their acts to his majesty in council; those acts being always subject to their approbation or disapprobation. In consequence of the peculiar situation of some of those islands, his majesty accompanied every commission issued for their separate government, with secret instructions, directing the governors of those colonies what to do under certain contingencies, and requiring them, if circumstances should render it necessary, to convoke assemblies of the freeholders and other inhabitants, in order that, in conjunction with the governors and councils, such laws should be enacted as might be conducive to the welfare and prosperity of the said colonies. In the year 1784, when governor Parr was appointed to reside in Cape Breton, that island contained only about eleven hundred inhabitants. In the commission to governor Parr, his majesty in council pointed out the general instructions by which he was to guide himself in the government of that colony; and at the same time, in the 23rd article of the instructions to the government of Nova Scotia, it was declared, that no regulations established for the government of Nova Scotia should be extended to the island of Cape Breton, so as in any way to interfere with the regulations adopted in that island. So great were the precautions taken on this subject, that when a duty was laid in 1792, on the importation of British goods into Nova Scotia, a distinction, exclusive from any share in the duty, took place as respecting Cape Breton. All this operated as a great encouragement to settlers; and the population of Cape Breton in consequence increased to upwards of 20,000 souls. Thus affairs went on from 1784 to 1820, when, without any previous notice whatever to the inhabitants, a proclamation was issued by the governor, lieutenant-general sir James Kempt, declaring, that it was his majesty's pleasure that the government of Cape Breton should be re-annexed to that of Nova Scotia, and form an integral part thereof; and that the island should be a distinct county of Nova Scotia. Now, what the petitioners complained of was, that although the proclamation of 1763, the commission of 1784, and every commission since, pledged to them the enjoyment of a separate and distinct government, yet, in defiance of the usage of forty years, in defiance of the original proclamation, by which the king divested himself of the prerogative of further interference with their government, in defiance of the unequivocal opinion of sir James Mansfield on the subject, in defiance of the uniform tenour of all subsequent commissions and instructions to the various governors of the colony, they suddenly found themselves, by sir J. Kempt's proclamation, transferred to

Nova Scotia, and forming a part of that colonial province. What could be a more serious infringement of the rights of any colony than that the king should, by a simple declaration on the part of a governor, assume the power of annulling its former independence? Such a proceeding was calculated to produce all sorts of evils and absurdities. Among others, one anomaly which it occasioned, he would mention. In Cape Breton the laws respecting the descent of property were much the same as in England. The law of primogeniture, for instance, was the same as in England. In Nova Scotia, on the contrary, as in France, a division of property took place. Now, in what a situation was the property of the inhabitants of Cape Breton, hitherto subject to laws similar to those of England, placed, by the annexation of that colony to Nova Scotia! There were other great differences in the laws respecting property of Cape Breton and those of Nova Scotia; so great, that it was almost impossible for the inhabitants of the former now to know what was the actual condition of their property. There could be no higher question for the consideration of parliament. Property which before sir J. Kempt's proclamation was worth 10,000*l.* had in consequence fallen in value to 3,000*l.* The petitioners, therefore, prayed that, at least, if parliament in its wisdom should, for any important purposes of state, determine to sanction the arbitrary proceeding of depriving them of the right which they had so long enjoyed of a separate and independant government, they should grant them some compensation for the serious injury which their property had sustained, and allow them to remove with their families to the United States, or elsewhere, where they would live under the protection of known and fixed laws. Such unsteadiness of legislation as the case which he had described manifested, was seldom exhibited, even in a canal or a road bill. He really trusted that no such principle as that which it involved, would ever be seriously recognized by parliament. To show that there could be no possible mistake as to the right of the colony of Cape Breton to a separate and independent assembly, the hon. gentleman read extracts from the secret instructions sent, in the first instance, to the government of Halifax and Nova Scotia. Agreeably to these instructions, no duty had been imposed on British manufactures in the ports of Cape Breton. In 1792, a tax of 2½ per cent was imposed on all British manufactures imported into Nova Scotia. This continued to be levied until 1820; but not a farthing of it at Cape Breton. This was a proof that the governments were considered distinct and independent. How surprised, therefore, the inhabitants of Cape Breton must have been to find themselves subjected to a duty on British manufactures, notwithstanding the sacred pledge which they had received of exemption from any such duty! The proclamation of 1820 assumed a fact which never existed. It declared, that Cape Breton should be "re-annexed" to Nova Scotia. Now it never had been annexed to Nova Scotia. It was always independent of Nova Scotia. The proclamation, therefore, was erroneous. In Nova Scotia a debt had been incurred before the junction of that colony with Cape Breton, to pay which the people of Cape Breton were now taxed. A false paper money had also been issued, not receivable at the Treasury for some time, and therefore subject to depreciation. In consequence of this, the bullion and coin had left Cape Breton, and they were subjected to all the inconveniences of this depreciated paper currency. For the various injuries which the petitioners complained of, only one plea had been alleged—economy! Now, there were ample funds collected in the colony for the support of its government, which had never been more than 2 or 3,000*l.* a year; and if there had not been, the inhabitants would willingly pay not only this expense, but such further expense as might be rendered necessary by the calling of an assembly. The petitioners prayed the House not to pass any bill to sanction this union of their colony with Nova Scotia, and to remedy the steps already taken, unless such great commercial advantage to the empire at large rendered the measure necessary; in which case they prayed to be indemnified for the injuries suffered, and to be allowed to remove to some other colonies, where they might have the benefit of their old laws.

Mr. *Wilmot* observed, that if, as the hon. member had stated, this petition involved a great constitutional question, it would have been better to have given notice of a specific motion, than to have entered into it at such length on presenting the petition. He thought, however, he should be able to convince the hon.

mover, that he had completely misunderstood the case, and that the union of the two colonies was in no way unconstitutional. When the hon. gentleman said that the petition was numerously signed, he was mistaken. The petitioners were 250 out of a population which the hon. gentleman had himself stated at 20,000. Up to the present time, not a single remonstrance had been sent from the colony to the colonial department, though the union had taken place in 1820; and, if the authority of a governor might be taken in opposition to the petitioners, he said on that authority, that the colonists found the union beneficial rather than not beneficial The petition, too, was got up in a manner which added nothing to its weight. The gentleman who had attempted to get a petition signed, had not been able to obtain any signatures, and had at last only obtained authorities to affix signatures. He understood that the petition had not been drawn up in the colony in its present shape, but that the signatures had been affixed to it in consequence of the authority he had mentioned. As to the constitutional question, the hon. gentleman had totally mistaken the proclamation of 1763. That proclamation divided the colonies, which had been ceded by France, and which did not then possess legislatures, into four separate governments—Quebec, East Florida, West Florida, and Grenada. In neither of these governments would the hon. gentleman contend that Cape Breton was included. The proclamation then proceeded, "We have thought fit to annex the islands of Cape Breton, &c. to our government of Nova Scotia." Nova Scotia, it was to be observed, then possessed a constitution; so that it was impossible that the promise of separate legislatures, which was held out to the above four governments, could apply to Cape Breton, which was by that very same proclamation annexed to another government. In 1766 two members were returned from Cape Breton to sit in the assembly of Nova Scotia; but, because there were few or no freeholders in Cape Breton at that time, the election was declared informal. An act of legislature had also passed in 1766, for the better recovery of his majesty's dues in Cape Breton, which, after reciting the union of that colony with Nova Scotia, declared that the dues should be payable there, as in the rest of the province of Nova Scotia. No doubt, from the year 1784 a change had taken place; and in consequence of the small number of inhabitants in the colony, the governor was allowed to make regulations for the government. But the instructions to a governor were not to be allowed to overlay the constitutional right of the colony to a share in the representation of Nova Scotia. The measure taken in 1820 was, therefore, rather a restoration of a right. Since that time, the people of Cape Breton had sent representatives to Nova Scotia; and in the case of one of those representatives, a Catholic, who was a favourite of the people of Cape Breton, the test oaths were altered to enable him to take his seat. The people of Cape Breton had derived various advantages from the union. For example the reduction of the tax on coals; and, if some individuals were displeased with it, there was not the least evidence of the measure being generally dissatisfactory.

Mr. *Bernal* strongly urged the claims of the petitioners to the attention of the House. It could not be contended, upon the proclamation of 1763, that Cape Breton was put on a different footing from the other ceded colonies. It would be quite as legal to deprive Grenada of its separate assembly as to unite Cape Breton to Nova Scotia. The hon. secretary had said, that the people had no grievances to complain of. Was it no grievance to be taxed for the debt of Nova Scotia; that their metallic currency should be withdrawn, and that they should be inundated with a depreciated paper currency? Was it no grievance that the laws of inheritance were altered? If the colonists had made no communication to the colonial office, it was probably because they thought that representation in that quarter would be of no use.

Mr. *Bright* said, that this was a question which involved the interest of all the colonies. The treatment of Cape Breton was one of extreme injustice. That colony was important from its situation; it was one of the fortresses of England; it commanded the entrance of the Great St. Lawrence and the fishery of Newfoundland; and it was, therefore, an obvious matter of policy to see that the inhabitants were attached to Great Britain by justice and by kindness. The rights of the colonies should be protected, whether they were founded on English law, or on long usage.

Mr. *Hume* defended the colonists from the charge of delay. A meeting of the inhabitants had taken place at Sydney, in April, and, after deliberation, they had appointed a committee to employ an agent in London, to ascertain what legal measure could be resorted to. An agent had been appointed, who had however neglected the business, and in fact lost the papers entrusted to him. This was only known to the colonists in June, 1822, and then a gentleman had been sent over here to ascertain what could be done on the subject.

Ordered to lie on the table.

FRANCE AND SPAIN—GUARANTEE OF THE BOURBON THRONE.]—Lord *John Russell*, adverting to the war which was apparently about to commence between France and Spain, observed, that it was highly important the House should be informed of the true situation of this country, with regard to the approaching contest. He therefore begged to ask the right hon. secretary, whether there were any stipulations, in any treaties, by which this country guaranteed the throne of France to Louis the 18th, and his successors?

Mr. *Canning* replied, that in a matter of a nature so grave, he would not return a positive answer, as he could not recall to his memory all the treaties, with all their stipulations, which might exist. There was, however, a stipulation in existence, by which any attempt made to resume the crown of France by any members of the family of the late usurper was to be resisted by all the great powers of Europe. There was also a stipulation, that, in the event of a rebellion breaking out in France, Austria, Russia, and England, should meet, and concert the measures necessary to be taken.

Lord *John Russell* said, he considered that the invasion of Spain by the Bourbons totally altered our relations with France. After Great Britain had spent, it appeared fruitlessly, no less than a thousand millions, in the hope that the re-establishment of that family would secure the blessings of peace to Europe, it was now incumbent on the government of this country to clear itself of all stipulations which might involve it in still further expense for the support of that family.

Sir *R. Wilson* said, he had formerly put a similar question to a late noble lord, and had received from him a positive assurance, that we had not guaranteed the throne of France to the Bourbons. He hoped the right hon. gentleman would not take on himself an odious responsibility, which his predecessor had declined.

Mr. *Canning* said, he had been asked as to a fact, and had not given an opinion. He had observed, that in case of an attempt to restore the family of the usurper, the allies were bound to act in concert against it; and he had further stated, that in case of rebellion or other revolutions, the allies were only bound to meet and consult together.

CIVIL LIST—FOREIGN EMBASSIES.]—Mr. *Lennard* rose to bring forward his motion relative to the Foreign Embassies. Similar information to that which he now meant to move for had been before laid on the table of the House. His intention was to ground a motion upon it for further reduction in the third class of the civil list. If a report which was in circulation was true, the mission to the Swiss Cantons was about to be reduced. This proved the benefit of public discussion. That gross job would never have been abolished but for the notice taken of it in that House. The sum voted for this branch of expenditure was greater than all the secret service money. He would, therefore, move, "That there be laid before this House, a Return of any decrease of expense, since the 2nd of May, 1822, that has taken place in the Third Class of the Civil List; and stating whether such decrease, if any, has been occasioned by a diminution in the number of persons employed on Embassies, or by an alteration of the rank of persons so employed, or otherwise."

Mr. Secretary *Canning* trusted, that the grounds on which he should oppose the motion would appear satisfactory to the House. The hon. member was aware, that any saving which might be made in this branch of expenditure was by law directed to be carried to the account of the consolidated fund. It necessarily followed, that the amount of that saving appeared, in due course, in the papers laid before parliament. He fully admitted the right of the House to watch over the expenditure of the crown; but he thought it would not be a wise exercise of that right to call upon the crown to state every specific appointment, and in fact the grounds of every alteration, in the arrangements of this department. This, indeed, would be to put the House in the place of the executive. He was ready to admit, that certain changes were meditated, with respect to our foreign missions, and that this change would include the mission to the Swiss Cantons, and occasion a reduction of not less than one-half, in point of expense. His objection to the motion, however, was simply because it was not the usage of parliament to interfere with these details. If mismanagement or corruption were imputed, it might undoubtedly be proper to call for information; but where neither of these was imputed, he thought there could be no reason for the interference of parliament. But, even if either of these was imputed, he did not say that he should consent to such a motion, unless a case were laid before the House fairly calling for information. In the present instance, his objection appeared with a better grace; because, by the hon. gentleman's own statement, the conduct of government had been, not only blameless, but, as far as it went, meritorious.

Lord *John Russell* supported the motion, and contended that the House would act inconsistently in not agreeing to it, as it had agreed to the motion of last year, which had called for the return already before the House. He was glad to hear that the embassy to Switzerland was to be reduced. When that subject was discussed last year, the minority were few in number; but the projected reduction proved, that a minority were sometimes in the right.

Mr. *Hume* trusted the right hon. secretary would not press his opposition to this motion. His predecessor in office had not refused a similar return. If the right hon. gentleman really wished for a fair discussion of the motion to be hereafter made by his hon. friend, he would not refuse the required information. Without it, his hon. friend, in arguing upon the expense of any particular embassy, might be met by a statement, that that embassy had been reduced, since the papers now before the House had been presented. If he persisted in refusing the information, the House would know what it had to expect from the candor of the right hon. gentleman in future.

Mr. *Huskisson* objected to the motion. A report would hereafter be laid on the table of the House, which would enable them to judge of the reductions and of the savings which had been made. By law, these savings were all carried to the consolidated fund. It had been a principle laid down by Mr. Fox, that the House should not interfere with the expenditure of the civil list. Before interference could be justified, there must be some good reason for complaint. In this particular case, no such complaint had been made. Unless a case of misapplication had been made out, parliament never had been accustomed to interfere. The very ground on which the hon. member called for this information was the ground on which the House ought to refuse it. Was there any other branch of the civil list with which the House was called on to interfere? Gentlemen confounded two things which were quite distinct—the amount of the expense of the third class of the civil list, and the amount of contingent expenditure; the latter being granted yearly by the House. With the expenses of the civil list, it was not the custom of the House to interfere, but of the disposal of this latter sum it was properly jealous. Gentlemen, who complained so much of this expenditure, would find that the sum granted for the French embassies far exceeded the sum granted for ours. It was between seven and eight million livres.

Sir *F. Burdett* said, that as prophets had no honour in their own country, so great men were rarely quoted till after they were dead, and then they had generally the misfortune to be misquoted. He could not say exactly what Mr. Fox had stated, but he was quite sure he never could have laid down the principle attributed to him by the right hon. gentleman. What Mr. Fox had said was probably this—that it never had been customary for parliament to interfere with the private expenses of the royal family. The present question had no other object but to procure certain information respecting one branch of our enormous expenditure. On this subject, there seemed to be something like sympathy between our government and that of France, to which our ministers always appealed when they were endeavouring to justify their own extravagance. But what must be thought when, after all this enormous expenditure, this country seemed deprived of all influence abroad? Was it not time to call on parliament to examine how these sums were employed? This was a part of the civil list over which the House ought to keep a most watchful eye. It was the duty of that House, and particularly at the present moment, when the character of the country had been so degraded by his majesty's ministers, to look closely into every department in which a saving might be made. Whenever parliament was called upon to enforce economy in the expenditure of the public money, they were sure to be told that some prerogative of the crown was endangered. The motion was perfectly unobjectionable, and ought to be complied with.

The House divided: Ayes, 24; Noes, 50.

List of the Minority.

Abercromby, hon. J.
Bennet, hon. G.
Bernal, R.
Blake, sir F.
Bright, H.
Burdett, sir F.
Davies, col.
Denison, W.
Fergusson, sir R.
Glenorchy, lord
Grattan, J.
Hartopp, G.
Hobhouse, J. C.
Hume, J.
Knight, R.
Lushington, S.
Martin, J.
Ord, W.
Palmer, C. F.
Philips, G.
Poyntz, J.
Ricardo, D.
Rice, S.
Scott, J.
Sykes, D.
Wood, alderman

TELLERS.

Lennard, T. B.
Russell, lord J.

CASE OF COLONEL HOME.]—Mr. *Grey Bennet* said, he rose to move for Copies of the Proceedings of a Court of Inquiry on colonel Home, of the Third Regiment of Guards. The case of that officer was, in his opinion, one of great importance; and, though he might despair of succeeding in the application which he felt it his duty to make to the House, he did not despair of the success, which would arise from the impression which that officer's case could not fail to make upon the public. Having obtained information, which he believed to be correct, he felt himself called upon, in justice to the character of that injured officer, and to the institutions of the army, to bring his case under the consideration of the House. It was necessary to premise, that this officer was not undistinguished in the military history of the country. He entered the service in 1803, had served in the Peninsula, in Germany, and wherever his regiment was engaged; and in the last great conflict at Waterloo, had conspicuously distinguished himself, in that post which was technically and emphatically called the key of the position—the post of Hogoumont. This officer, when he returned home, had the misfortune to engage in an unprofitable mining concern, relying upon representations, which subsequently turned out to be false. After engaging in this speculation, in the spring of 1814, he was ordered to the continent, where he remained until after the peace of Paris. Upon his return to this country, he found the concern in which he had engaged in a ruinous state, and that he had been grossly and scandalously imposed upon. The hon. member proceeded to read some letters from the brother of colonel Home, who had gone down to inquire into the state of the concern, with a view of showing the shuffling and evasive conduct of the parties by whom he had been prevailed upon to embark in this trading transaction. From these letters, it appeared to be the opinion of all the other partners, that it would be better to submit to the first loss, and put an end to the concern, than to suffer it to remain under the management of Mr. Salisbury. Colonel Home would have been glad to withdraw himself from the concern, at the expense of all the capital he had embarked in it; but, as the partners declined, he consulted respectable lawyers, who advised him to get bills drawn upon him, and to accept them in the name of the firm, with a view of compelling the partners to come to an equitable settlement. Shortly after one of these bills had been presented for payment, some scandalous placards were stuck up in the town, casting the grossest and most unfounded aspersions on the character of colonel Home. As soon as colonel Home was informed of this circumstance, he took measures to repel the aspersion, and a person was employed to meet the brother of colonel Home to investigate the whole transaction. This person, who, it should be observed, was an agent of the opposite party, admitted that nothing could be more honourable than the conduct of colonel Home. That officer subsequently received a letter from lieut.-colonel Hill, in which he was informed that a court of inquiry would be held to investigate certain transactions in which he was said to be implicated, with the firm of Salisbury and Co. On requiring a specification of the charges, he received another letter from colonel Hill, in which the principal points of charge were stated to be his accepting various bills from which he was restrained by the articles of partnership; his swearing by affidavit in the court of Chancery, that he was ignorant of the existence of those articles, when it could be proved, that they had been delivered to him: and his persuading quarter-master Weston to personate him, and receive in that character the injunction of the court of Chancery, restraining him from accepting bills. The court met on the 26th Jan. 1818, and on the 30th, came to certain resolutions, which he had no hesitation in declaring to be most loosely, vaguely, and illegally drawn up. They were directly contradicted by the evidence, and, if this were a civil case, would justify a motion for a new trial. The first resolution stated, that colonel Home was a partner in the firm of Salisbury and Co.; but this fact had never been proved to the court. He did not mean to deny, that colonel Home was a partner in the concern; but still it was material that he had not been proved to be a partner. Besides, the time at which the partnership commenced, which was another material point, was not stated.—The second resolution of the court stated, that colonel Home had in a letter expressed himself perfectly satisfied with any arrangements which might be made by the managing partners of the concern. There was not the slightest truth in this statement. The letter merely stated the colonel's readiness to agree to any purchase which might be made, for the benefit of the concern. There was a great difference between the words "arrangement" and "purchase;" for though the colonel was ready to agree to any special purchase which might be made, it did not appear that he was ready to agree to any thing else. Another resolution declared, that colonel Home had drawn bills to a large amount, in violation of an agreement entered into with his copartners; and a fourth resolution charged him with taking measures to avoid the lord chancellor's injunction, by prevailing upon quarter-master Weston to receive it. Col. Home subsequently received a letter from col. Hill, in which the latter officer stated, that he was commanded by the duke of Gloucester to inform him, that after the proceedings of the late court of inquiry, he could not remain in the service, unless his conduct were cleared by a general court-martial. The letter further gave him the option of abiding by the decision of a court-martial, or of selling his commission. Col. Home immediately demanded a court-martial. Every thing was going on in the train, by which alone an accused officer could clear himself from any charge that might be brought against his character and honour. The whole of the evidence was submitted to the advocate-general, whose duty it is on such occasions to draw up the charges. On the 10th Feb. 1818, the judge-advocate came to this conclusion: "that colonel Home had been induced to enter into a commercial speculation by persons whose honesty and fair dealing there was strong reason to suspect; that he had been recommended to accept bills drawn upon the firm in order to bring the partners to a general settlement, and that it was by no means clear that the partnership concern was not liable for these bills." This was a question, therefore, involving civil rights, which ought by no means to be made the subject of a military investigation. With respect to the allegation, however, that colonel Home had denied having received a copy of the agreement upon which the partnership was founded, that charge, undoubtedly, affected his character as an officer and a gentleman; but, upon this point, the evidence was by no means clear. On the contrary, he had sworn, in answer to a bill filed against him in chancery, that he had never received a copy of such an agreement; and that allegation must be taken to be true, since, if it were false, the colonel was liable to be indicted for perjury. With respect to the charge of his having prevailed upon quarter-master Weston to receive the injunction of the court of chancery, there was no evidence that col. Home had received any notice that such a process would be issued against him; and the allegation itself was contradicted by the quarter-master. Upon the whole, it appeared to the advocate-general, that justice could not be done to col. Home by a court-martial, but that a court of inquiry, where the proceedings were less precise and formal, and where more weight was given to opinion, than to rules of evidence, was in this case a much more satisfactory tribunal. Hear this, ye lawyers, exclaimed the hon. gentleman, if there be any lawyers in the House, and wonder while ye hear! A court-martial was bound to administer justice on oath, to examine witnesses on oath, and was not governed by opinion, but by evidence; whereas a court of inquiry was not sworn to administer justice, had no power to summon witnesses, or to call for documents, and yet this very distinction, that its proceedings were grounded upon opinion, and not evidence, was that on which the advocate-general founded his opinion, that it was a more satisfactory tribunal! There was no term of reprobation which it did not merit—no epithet which was severe enough for it. He would entreat the House to bear in mind the consequence, if such courts were allowed to decide on such matters. This officer complained, that he had been placed in a situation which was unpleasant in the extreme. He had been tried by a tribunal that could not do him justice. It was monstrous to state, that if he could not get justice from a court-martial, he would get it from a court of inquiry. The case was this: did colonel Home, when he drew the bills, or when they were drawn, do it as a consenting party to the terms which had been agreed to in 1813? He would say, that he did not; that he had never received intimation of these terms, and did not, in fact, know of their existence.—Here the hon. gentleman detailed, and commented upon the evidence which had been laid before the court-martial in 1818, and from that he contended, that col. Home was not aware, that in accepting the bills he was acting contrary to any terms of agreement subsisting between the partners; that in procuring quarter-master Weston to receive the injunction he did not wish that gentleman to personate him; that in the whole case he had acted by the advice of his legal agents; and that consequently he must have concluded, that the whole of his conduct was legal. This had been proved by the testimony of the evidence against col. Home, and he challenged the noble lord opposite to point out a tittle of evidence upon which the case rested. Was it to be indured that a gallant officer, who had served his country so well for 18 years, should have, upon such a charge and at the suggestion of such a court, been stript of his rank? It should be borne in mind, that the court had been instituted for one purpose and used for another. He did not mean to enter into the question of courts of inquiry. When considered in the same light and used for the same purpose as grand juries, they might have their advantages; but, as courts of decision, they were illegal; and he would appeal to any man, whether he would wish to have his fortune at the mercy, he would say the caprice, of a court, where the judges and the witnesses had no responsibility. He had no acquaintance with col. Home, beyond an introduction for the purpose of this motion. He hoped he had contributed to set up the character of a man who had been oppressed, and that for the future he would continue to bear the same manly front, as he had been wont to do to the enemies of his country. He would only add, that it was his opinion, that this was the most illegal, unjust, and harsh decision, ever come to. The hon. member concluded by moving, "That there be laid before this House, a Copy of the Minutes of the Court of Inquiry, and all the Documents laid before it, in the matter of Colonel Home, late of the third regiment of Guards, in the year 1818."

Lord *Palmerston* said, he would leave the military character of colonel Home out of view, as it had really as little to do with the present question, as that question, in his opinion, had with parliamentary inquiry. The case was as plain as it was brief. Colonel Home had entered into a certain mercantile speculation; and, when he found that speculation was not likely to be profitable, he had attempted to withdraw his capital, by means which had been thought unjustifiable. He had become a partner by purchasing shares; and that he was ignorant of the terms of the co-partnery, would have been no excuse for his conduct, seeing that he ought to have informed himself of the grounds upon which he had invested his capital. Finding that the speculation was not likely to turn out well, he had attempted, in the manner which had been stated, to withdraw his capital. The whole capital was 27,000*l.*, and of this the sum which had been advanced by the colonel was 3,100*l.* Now, from this, it was evident, that not the colonel, but his partners, would have had to bear the greater share of the loss. Still he had authorized his brother to draw bills upon him, and these bills he had accepted in the name of the company, and had thus made his partners liable. This liability had been stated on the opinion of a court of law; and, the bills being drawn by colonel Home's brother, was much the same as if they had been drawn by himself. The bills had been accepted for no value; and peculiar channels had been chosen to put them into circulation. They were in the hands of makers of combs and umbrellas, and sellers of cloth. Now, upon what ground could the colonel think himself justified in doing this? Had he entered into the business voluntarily; or had he entered into it blindfolded? Though the speculation which he had entered into voluntarily had not turned out profitably, that was no reason why he, the smallest partner, should be the first to withdraw all his capital; and not all his capital merely, but even more; and that in a manner which could not be reconciled with honourable proceedings. When the parties who were the holders of these bills found that other bills to an extent greater than the sum which the colonel had in the concern might be drawn, they applied for an injunction to the court of Chancery. This injunction the gallant colonel requested a captain Drummond to receive for him; and when the captain refused, he had applied to the quarter-master. This could not be a casual receiving, and was no evidence that the nature of the paper was not known to the colonel. The commander-in-chief's attention had been first attracted to the subject, in consequence of placards having been posted up in various parts of the metropolis, charging col. Home with gross misconduct. How were these charges answered? One might judge a little of the character of an individual from the manner in which he set about defending himself. A person wholly free from reproach would hardly plead so directly to a charge as to post bills on dead walls and in bye-corners. He held in his hand one of the counter placards, in which colonel Home had replied to the charges posted in other bills.—[Here the noble lord produced one of the placards.]—He contended, that the course which the colonel had originally pursued was incorrect, and the manner in which he had avoided a process of law was discreditable to him as an officer. At first the commander-in-chief had intended to bring colonel Home to a court-martial; but such a proceeding it was thought would so interfere with other interests, that it could not be adopted with justice to the parties. This opinion had been given by the judge advocate, and it had been borne out by the result. Twice colonel Home had applied to courts of justice, with a view of commencing proceedings, founded on the minutes of the court of inquiry; but chief justices Abbott and Dallas had decided, that they could not order the production of the minutes of a military court of inquiry. The noble lord proceeded to show, that courts of inquiry were of no recent date. It had been common to have recourse to them, from the middle of the last century; and even at an earlier period. Chief justice Abbott had described a court of inquiry to be different from a court of justice; but he conceived it to be that which his majesty was competent to appoint; and he held it to be a very gracious mode of dealing with an officer, whose conduct had been called in question, to submit the case to the consideration of his brother-officers, before he was brought to a public trial. He thought, upon the whole, that there were ample grounds for removing colonel Home from his command, as he had been removed. He had not been dismissed the service, but was allowed to sell the whole of his commissions. It was said, that he had acted on legal advice. If so, he was sorry that he should have been misled; but a man must be responsible for his conduct, although acting under such advice. After the facts which had been proved, colonel Home could not, with propriety, be suffered to remain in the command of his regiment; and he, therefore, saw no grounds for interfering on the present occasion with the exercise of the undoubted prerogative of the crown. On the same principle upon which the courts of justice had refused to interfere, he thought the House bound to negative the motion.

The motion was negatived.

NEWFOUNDLAND LAWS BILL.]—Mr. *Wilmot* moved for leave to bring in a bill to amend the laws in Newfoundland. It was his intention to have the bill printed, and to take the debate upon the second reading. The bill had three general objects; first, the amendment of the laws respecting the fisheries; second, the improvement of the courts of justice; and lastly, the institution of a local power to make bye laws under certain circumstances.

Sir *J. Newport* considered the proposition to be of a novel nature, since it went to supply an improved system of judicature, while it left that which was defective to exist at the same time.

Mr. *Bright* thought, before they proceeded to legislate on this subject, that more information, as to the state of the colony, ought to be afforded.

Dr. *Lushington* said, there never had been a colony so neglected as that of Newfoundland. He wished to know whether the details of a measure which affected the concerns of 60,000 persons, had been first submitted to the consideration of the inhabitants.

Mr. *Wilmot* said, that the measure was brought in upon the responsibility of government.

Mr. *M. A. Taylor* said, he felt deeply for the interests of Newfoundland, and would rejoice at the introduction of any measure likely to tend to her prosperity; but he thought the root of the evil which was destroying that colony had been laid in the last treaty with America; which, by allowing the Americans to fish in the waters and to dry their fish on the coast, had occasioned the loss of almost the whole trade to Newfoundland, as the Americans, by their local advantages, were enabled to undersell the British merchants.

Mr. *Hume* thought, that a bill which went to change the internal economy of the settlement, ought not to have been proposed but upon information adduced before a committee. If the people of the colony had made complaints of the existing system of law, those complaints ought to be laid on the table; and if they had not complaints, he did not see what necessity ministers had to legislate in the dark, in a case which affected the interest of a population of 60,000 souls.

Mr. *Tulk* described the island of Newfoundland to be in a state of absolute ruin. A measure so important as the present, ought not only to be made well known to those connected with Newfoundland in this country, but time ought to be afforded to make the inhabitants acquainted with its provisions.

The *Chancellor of the Exchequer* said, that if the trade of Newfoundland was ruined by the last treaty concluded with America, he was the guilty person; as he had signed that treaty. He alluded not to the treaty of Ghent, but to that of 1818. He did not consider the effect of that treaty to be such as had been described. The House, however, ought to bear in mind the circumstances under which it was concluded. A question of great delicacy and importance was then under discussion, which was this, whether the fact of a declaration of war having since taken place, altered the rights which had been given to America by the treaty of 1783? On the part of America, it was contended, that the re-establishment of peace between the two countries, *ipso facto*, restored all the rights which they previously enjoyed. It was soon seen that this was a question which could only be settled by compromise or war. He had not thought it wise that this country should go to war on it, and had therefore advised a compromise. This had taken place accordingly. America conceded some of the rights which had been given to her by the treaty of 1783: and we, in consideration of this, gave them the privilege of drying fish on part of the coast of Newfoundland. He did not know that what had been conceded had proved prejudicial to the trade of Newfoundland, and he was confident that such was not the case; for that privilege which had been considered most dangerous, the Americans had availed themselves of to a very limited extent: indeed, not at all, till within the last year or two. At present, we supplied the south of Europe with fish to the exclusion of America, as much as at any former period. The measure now proposed to be introduced, he maintained, was necessary for the good government of the country. Ministers were often blamed for throwing on committees that responsibility which they ought to take upon themselves. Now, they were censured for preferring an opposite policy.

Leave was given to bring in the bill.

FORGERY BILL.]—Dr. *Lushington* rose to move for leave to bring in a bill to amend the laws respecting Forgery. He wished to correct certain defective enactments, but did not propose to alter the punishment of the crime. He did not wish to inflict capital punishment where it was not at present inflicted, nor to take it away from those crimes to which it was now applied. He proposed, however, to make certain offences penal which could not be punished at present. The destruction of a will was one of these. That offence was not properly provided against at present; yet the crime was not one of rare occurrence. His intention was to bring in the bill, in order that it might stand over to next session. The learned member concluded by moving, "for leave to bring in a bill to consolidate, amend, and declare certain general provisions relating to the crime of Forgery."—The motion was agreed to.

REVENUE DEPARTMENT CONSOLIDATION BILL.]—The *Chancellor of the Exchequer* said, that after the able report of the commissioners of inquiry, but little remained for him to offer on the subject of the bill which he was now to move the House for leave to introduce. The boards of excise and of customs in England, Ireland, and Scotland, were at present distinct, and consisted altogether of 39 persons. They were all under the general superintendance of the Treasury; but being totally distinct from each other, there was no uniformity in their practice—a defect which every one must see was calculated to give rise to great inconvenience. In order to simplify this machinery, and get rid of the defects, and he might say abuses, which had arisen under it, he was desirous to adopt the recommendation of the commissioners, by consolidating the customs and excise boards, in Great Britain and Ireland. Under this regulation the whole of the business would be done by 34 persons, instead of 39, as at present. There would always be resident commissioners in England, Ireland, and Scotland. The plan would be attended with a considerable saving of expense, and would prepare the way for other important alterations with respect to the levying of duties. He then moved, "That leave be given to bring in a bill to consolidate the several Boards of Customs, and also the several Boards of Excise of Great Britain and Ireland."

Sir *J. Newport* expressed his satisfaction at the prospect of a change, which he was confident would be attended with great advantage both to the revenue and the merchants.

Leave was given to bring in the bill.

HOUSE OF LORDS.

Wednesday, March 26.

Bankrupt Laws.]—The *Lord Chancellor* observed, that towards the end of last session, he had laid upon the table a bill for the amendment of the Bankrupt Laws. Since that period he had thought it better that the whole of the bankrupt laws should be consolidated into one act, and a bill had been prepared for that purpose, embodying all those laws (including the bill he had presented last session), with the exception of clauses which it was thought might conveniently be repealed, and with some amendments. From the nature of some of the clauses contained in this consolidation bill, it was doubtful whether it could originate in that House, or whether it must not be first presented to the House of Commons; but, on an early day after the recess, it would be laid before one or the other House.

Negociations relative to Spain.]—The Earl of *Liverpool* said, that unless any circumstance occurred of which at present he did not foresee the probability, he proposed on Monday the 14th of April, to lay upon the table the papers respecting the late negociations with reference to the state of affairs between France and Spain; he also proposed at the same time, to make a statement containing the general outline of the policy pursued by the government with regard to these negociations. It was not, however, his intention to call upon the House for any premature decision upon the subject. The papers would be printed and placed in the hands of the members of the House; and it would be for their lordships to decide, after having perused them, whether any and what course should be adopted respecting them.

The Earl *Grey* said, he had heard what had been stated by the noble earl with the deepest regret and concern, as it appeared that all hopes were very nearly, if not quite extinguished of averting hostilities between Spain and France. With respect to the course proposed by the noble earl, it certainly appeared upon the face of it fair and plausible; but, without any greater distrust of his majesty's ministers than could be expected from one who for so long a period had differed with them as to the policy the most fitting to be pursued for the interests and honour of the country; he could not help thinking that there was considerable inconvenience in the course proposed, as, instead of having the means of discussing the merits of the negociations to which the documents to be laid before the House referred, the statement of the noble earl would go forth to the public, and make an impression, whilst there would be no opportunity for other noble lords to make themselves acquainted with the contents of the papers. He could not but think that if that had been done at Verona which ought to have been done, and if that tone of language had been assumed which this country ought to have held, we should not at this moment have been in the melancholy and alarming situation that we were. What he apprehended from the mode of proceeding proposed by the noble earl was, that he (earl Grey), and other noble lords who thought as he did, might find themselves in this dilemma—either by their silence, to give an impression to the public that they approved, or be forced into a premature discussion before they had considered the papers submitted to them. He hoped, therefore, that the noble earl would lay the papers on the table, and adjourn his statement to a future day, when their lordships would be fully competent to come to the discussion upon them. There was one more remark that he would make:—In the state to which things were fast approaching, nothing could be more interesting than a proper understanding of our existing engagements with foreign powers, and more particularly with France. He had not had time to look minutely into the treaties which had been laid on their lordships' table, but from the statements which had been made respecting them, he considered them fair. He hoped and trusted there existed no secret enjoyments that the public were not in possession of, and if any existed, which had been made respecting them, he considered them fair. He hoped and trusted there existed no secret engagements that the public were not in possession of, and if any existed, which had been made at a former period and under different circumstances, he trusted we were not so far fettered by them to the government of France, as to be obliged to give any support to their iniquitous and unwarrantable conduct towards Spain. He trusted, that if there were no such engagements, contracted with other views, that they would not be thought binding by the House, or by his majesty's government; and he trusted that his majesty's ministers had felt it to be a part of their duty to apprise foreign governments, that by such engagements this country was in no shape bound.

The Earl of *Liverpool* said, that, on the first part of the noble earl's observations, he would say only a few words. Of the propriety of the proceedings at Verona the House would be best able to judge when the papers were before them. All he would now request was, that the noble lord, the House, and the public, would not prejudge his majesty's government, before they saw what had been done by the noble person by whom the negociations at Verona had been conducted. As to the course of proceeding, he could not conceive that any improper prejudice could be created by stating the contents of the papers, and what the principles were on which the negociations had been carried on. He could, indeed, see a great conveniency, in that course, to the House, and even to those noble lords who might be desirous of making a hostile motion thereupon. Besides, the House would observe, that this was not a case where hostilities had commenced. Hostilities were generally preceded by a declaration, and papers were produced to give validity to the declaration; but the case was different here, professing, as we did, a strict neutrality. He trusted the House would see the necessity of the explanation with which he proposed to accompany the papers; for, as the negociations were partly conducted at Verona and partly at Paris and Madrid, there were many connecting links, without which it would be impossible for the House to form a correct judgment. If the explanations he should give should not be satisfactory, it would be competent for the noble lord to ask for further information, and to call the attention of the House to the whole of the papers, or any part of them. With respect to the engagements of this country with foreign powers, he could say, that there were no secret engagements with France, which could contravene the public engagements contained in the treaties which had been laid on the table of the House. Those engagements were of a completely negative nature; and related to the exclusion of the family of the late ruler of France from the throne of that country. This country was under no obligation, except that general engagement to concert with other powers, measures for preserving the peace of Europe.

Earl *Grey*, with reference to what had been said by the noble earl respecting our treaties regarding France, did not mean to insinuate that the noble earl had used the word contravene in any other than the obvious sense; but still, though there might be no secret articles to contravene the articles in the published treaties, there might be secret articles to extend and enlarge the sense of the published articles. He wished, therefore, to ask the noble earl distinctly, whether there were any such articles in existence?

The Earl of *Liverpool* had no hesitation in saying, that, with regard to any support to be given to the throne of France, or the dynasty of the throne of France, there were no articles other than those which were in the treaties already before the public.

Adjourned to the 10th of April.

HOUSE OF COMMONS.

Wednesday, March 26.

Petition from Mary Ann Carlile for Release from Imprisonment.]—Mr. *Hume*, in presenting a petition from Mary Ann Carlile, complaining of hardship, and praying for redress, felt it necessary to state, that he was aware there was a great prejudice against the name of Carlile; but he hoped the House would, in the present case, divest itself of all prejudice against her, on account of her brother. He conceived that a very important principle was involved in the case of Mary Ann Carlile. The prosecution against her was instituted, not by the attorney or solicitor-general, who he (Mr. Hume) conceived were the only legal preservers of the peace and good morals of the community; but by societies which he had long viewed with great jealousy, namely, the Society for the Suppression of Vice, and the Constitutional Association. These societies were little better than conspiracies against the liberty of the subject; and the individuals prosecuted by them might be justly considered as their victims. By a joint purse they were enabled to bear down individuals even in point of expense; and thus render it quite useless to make resistance. The operation which their influence was calculated to produce on the minds of a jury was no small matter. Such had been the case in many trials; but he was desirous of confining himself strictly to the present case. He had had the petition in his possession exactly one month. He had been unwilling to present it, until he could ascertain who had been the petitioner's prosecutors. She was tried on the same day at the suit of the Constitutional Association for a seditious libel, and acquitted, and at the suit of the Society for the Suppression of Vice, and found guilty. He had been anxious to discover who the prosecutors in the latter case were; but he had been ten or fourteen days in finding out the members of the Society for Vice [a laugh]. Well! he could prove, that the Society was one, not for suppression, but for the promotion of vice. On inquiry, he understood that there had not been a list of the members published since 1803, or at latest 1807. The difficulty that he experienced in ascertaining the names of the members, assisted in leading him to the extraordinary conclusion, that those individuals must of necessity be infidels, men who shunned the light, who disbelieved the Christian religion, and who wished to diffuse the principles of scepticism as widely as possible. At last he wrote to the secretary of the Society: and it was but justice to say, that he found a perfect readiness to communicate to him all the information that he required. When he received the list of members, 250 in number, he found among them several of his most intimate friends, men standing high in public opinion, and distinguished by their private worth; members of that and the other house of parliament, as well as of every other respectable class of the community. He could mean, therefore, no attack upon their individual character, when he declared it to be his opinion, that by the course which they had adopted, they had rendered general throughout the country a knowledge of those principles, which but for that course would have been very little known indeed. In that point of view, therefore, they had been the promoters, and not the suppressors of vice. He had read the publication, for the sale of which, on her brother's account, the petitioner had been tried and convicted. But for the prosecution, he certainly should not have done so; he must say, that he could not see in it a single intemperate word, or any expression which might not with great propriety, be used by any person holding the same opinions as the writer. He considered the punishment attendant on its publication therefore to be an infringement on the privilege of free discussion, which the people of this country had a right to enjoy, and which had been maintained by so many eminent individuals, and among them several of the most orthodox divines that the country had produced; he had also read with great attention that part of the defence of the petitioner, which she read in court, and he really could not conceive how any controversy could be carried on, where one person denied what another asserted, if such a defence could be put down, as in the present instance it was put down by Mr. Justice Best. His (Mr. Hume's) opinion on such a subject might have little weight; but his conviction, on the most deliberate review of all the proceedings in the case, was, that the petitioner had been treated very harshly, and in a manner contrary to the spirit of the English law, by being prevented on her trial from using what argument she pleased in her own defence. He was aware, that of late a practice, but a practice which he contended was unprecedented and unjustified, had obtained on the part of the bench, of silencing individuals who expressed opinions contrary to the established religion, which was termed "part and parcel of the law." It was maintained that religion ought not to be reviled or abused, or spoken of in opprobrious language. Now, he had looked with a great deal of attention at books of controversy, published at different periods of our history, some in support of atheism, some in support of deism, &c. &c.; and he was satisfied, that no part of the publication, for her connection with which the petitioner was condemned; he was satisfied, that no part of the petitioner's defence was at all comparable in strength of expression with many passages in works published ages ago, which were now public matter of history, and which were to be found in every library. He contended, therefore, that the petitioner had been unduly punished, and that her judges had treated her with a severity not warranted by the principles of British jurisprudence. He was sure that they were principles which would not have been acted upon forty or fifty years ago; and that the only parallel to them was to be found in times, when individuals were brought to the stake, and were otherwise outrageously punished for their religious opinions. It was to have been hoped, that more Christian and liberal feelings would have prevailed in the present day. It was to have been hoped, that an abstinence from any thing like harshness or severity would have been evinced by a body of individuals, among whom were some of the most distinguished ornaments of the church and the state; but who appeared to be actuated by a misguided zeal, fraught with the most pernicious consequences. He really did intreat those who had to make laws, to make such laws on the subject to which the petition alluded, as the people could understand. He entreated them distinctly to define the crimes against which those laws were directed. He entreated them to put an end to the worse than absurd practice of calling upon a jury, to pronounce upon oath on a matter of fact submitted to them, when no fact, but only the opinion of the judge, that such or such expressions were hostile to that which was part and parcel of the law of England, was actually submitted to them. He entreated them to bring in a bill to define what blasphemy was. In former times similar proceedings were instituted, and the same course was adopted against those who denied the Real Presence in the Eucharist. In the present, as in all former ages, great differences existed on the subject of religion; but surely it was desirable to extend the principles of the Christian religion, the principles of true charity towards those principles; and not make them the pretext for the exibition of a system of gross oppression and tyranny. He wished the members of the prosecuting society to turn to the New Testament, and show him one passage in which they were warranted in prosecuting men for the expression of opinions respecting religion. On the contrary, when our Saviour was asked why he did not call down fire from heaven on the heads of his enemies, he said they knew not what they did; which was as much as to say, that violence was not what he approved of. The whole of the New Testament, the principles, precepts, and practice of our Saviour, confirmed this opinion. As for the petitioner, she had published nothing new, and unheard of. She was prosecuted only for publishing a transcript of what was sold with perfect freedom in America. He saw some gentlemen smile when he alluded to America, but he would say that they would do well in some things to copy the practice of that country. He held in his hand an act of the Assembly of Virginia, intituled "An Act for establishing Religious Freedom, passed in the Assembly of Virginia in 1786." It recites that, "Well aware that Almighty God has created the mind free, that all attempts to influence it by temporal punishments or burthens, or by civil incapacitations, tend only to beget habits of hypocrisy, and are a departure from the plan of the Holy Author of our religion, who being lord of both body and mind, yet chose not to propagate it by coercions on either:—that the impious presumption of legislators, and rulers, civil and ecclesiastical (who being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinion and modes of thinking, as alone true and infallible, and as such endeavouring to impose on others) hath established and maintained false religions over the greatest part of the world, and through all time,' that truth is great and will prevail, if left to herself, is the proper and sufficient antagonist to error, and can have nothing to fear from the conflict, unless (by human interposition) disarmed of her natural weapons, free argument and debate; error ceasing to be dangerous when it is permitted freely to contradict them; be it, therefore, enacted, by the general assembly, that no man shall be compelled to support any religious worship, place or ministry whatsoever; nor shall be forced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief, but all men be free to profess and by argument to maintain their opinions in matters of religion: and that the same shall in no wise diminish, enlarge, or affect their civil capacities." The petitioner had only published a work, maintaining opinions by argument. In prosecuting her for this, we were departing from the principles on which Christians should act: we had claimed and vindicated the right of asserting our religious opinions in opposition to the see of Rome, and surely, then, we should extend the same right to others. If he had been one of the jury on Mary Ann Carlile's case, he should certainly have paused before he consented to condemn a fellow subject for such an expression of opinion; he could never, on the *ipse dixit* of a judge, think himself warranted in visiting an expression of opinion as a crime. The *ipse dixit*, that Christianity being a part of the law of the land, any attempt to impugn it was punishable, was utterly unworthy to be considered as a part of our legislation. The whole of the prosecutions against religious opinions were, however, founded on this *ipse dixit*, which originated with sir Matthew Hale, an authority of much weight in such questions, as he was the judge who had sentenced several persons to the stake for witchcraft. If he believed in such a crime, and it would be uncharitable to suppose that he did not, it was necessary to receive with caution what he said on matters of opinion. As to the sentence on the petitioner, she had been sentenced to a year's imprisonment, to a fine of 500*l.* and to be imprisoned till that fine was paid. One of the charges against James 2nd was the imposition of excessive fines, and the demanding of excessive bail, and the petitioner herself stated, what he believed was correct, that the chief justice of the King's-bench had recently declared, that it was never the intention of that court to impose fines beyond the ability of defendants to pay. Now, by an affidavit of the petitioner, taken before W. Morton Pitt, Esq. she declared that she had no property beyond her wearing apparel, furniture enough to furnish a small room, and a few books of small value, not worth mentioning, and that she never had any other property. Now, when a fine of 500*l.* was imposed upon a person in the condition of the petitioner, did not the sentence come within the description of fines, the imposing of which was one of the offences of James the second's government? They knew the difficulty of deciding what was an excessive fine and what was excessive bail, but the construction was generally on the milder side. By the 1st William and Mary, sess. 2, c. 2, this is particularly noticed and condemned. The statute says, "and excessive bail hath been required of persons committed in criminal cases, to elude the benefit of the laws made for the liberty of the subjects. All which are utterly and directly contrary to the known laws and statutes and freedom of this realm." He would ask, then, if the sentence on Mary Ann Carlile, was not just such a one as James had been condemned for sanctioning, and which the law in the 1st of William had declared illegal? When the bishop of Clogher, who was possessed of a revenue by some estimated as high as 100,000*l.* was charged on the clearest evidence of an indictable offence, the magistrate did not think himself justified in demanding more than 1,000*l.* bail, which, however justifiable, seemed a very different measure of law from that by which 500*l.* fine was inflicted on an individual having no property. The petitioner stated, that she was a comparatively young woman, 29 years of age, and if the House did not interfere, she might never be released from the walls which now surrounded her. On the 15th November last, the year of her imprisonment expired, and she had since that time been confined from her inability to pay her fine; besides her fine, she would be required, previously to her enlargement, to enter into recognizances, herself in 1,000*l.*, and two sureties in 100*l.* each. Soon after the expiration of her year's imprisonment, she had written to the lords of the Treasury, praying for the remission of the fine, which she was utterly unable to pay. This application was refused, and she now lay in gaol, the victim of persecution, for publishing matters of opinion which many of our most eminent divines, and some of our most enlightened judges, have declared might be promulgated with impunity. He hoped his majesty's ministers would grant the petitioner what she prayed for.

The petition was brought up and read as follows:—

"To the honourable the Commons of Great Britain and Ireland, in parliament assembled. The petition of Mary Ann Carlile, a prisoner in his majesty's gaol of Dorchester, respectfully sheweth:

"That your petitioner was shopwoman to her brother, a bookseller, in Fleet street, in the city of London, and received wages of him for acting in that capacity.

"That your petitioner was prosecuted for selling a pamphlet, the title of which was, 'An Appendix to the Theological Works of Thomas Paine.'

"That this pamphlet, which questioned the divine origin of the Christian religion, was nevertheless mild in its tone and temperate in its manner, in comparison with other works, for publishing of which persons had been prosecuted to conviction.

"That in none of the cases in which persons had been convicted for the publication of the works alluded to, has a sentence ever been passed on any one, which, in point of severity, admits of any comparison with that which has been and still is, inflicted upon your petitioner.

"That your petitioner appeared in the court of King's-bench, at Guildhall, in the city of London, on the 24th of July, 1821, and there attempted to defend herself against a charge of having published a blasphemous libel; but before she had read more than ten or twelve out of more than a hundred pages of her defence, she was interrupted by the judge, Mr. Justice Best, who refused to hear the remainder, although the defence was altogether strictly relevant to the charge made against her.

"That in consequence of the Judge having refused to hear her in her own defence, she was convicted unheard, convicted simply on the case which had been made against her.

"That your petitioner is convinced that hers is a case of unparalleled hardship, and, as she also believes, of singular injustice.

"That the great injustice done to your petitioner at her trial was still further increased, when, on the ground of her being convicted without having been heard in her defence, she moved for a new trial, that request was peremptorily rejected.

"That on the 15th of November, 1821, your petitioner was sentenced to a year's imprisonment in Dorchester gaol, and also to pay a fine of five hundred pounds, and to remain in prison until the fine of five hundred pounds was paid.

"That your petitioner's year's imprisonment expired on the 15th of November now last past, but she is still detained for the fine of five hundred pounds.

"That your petitioner is twenty-nine years of age, of irreproachable character, and had for the last twelve years, previous to her confinement in Dorchester gaol, maintained herself by her industry, she having no property whatever, nor any other reputable means of obtaining a livelihood.

"That your petitioner is utterly unable to pay the fine of 500*l.* imposed upon her, or any other sum whatever.

"That in consequence of this inability, which is no fault in your petitioner, she is sentenced to perpetual imprisonment, in a distant gaol.

"That your petitioner has heard and believes, that in the month of December last, the present lord chief justice of the court of King's-bench declared from the bench, that that court in imposing fines upon persons convicted in that court, always paid attention to the ability, or supposed ability, of the person fined to pay the fine, and never intended to impose a fine beyond the ability of the person fined to pay.

"Your petitioner cannot but conclude, that hers is, in all respects, a very extraordinary case, and one of singular hardship, and she therefore prays, that your honourable House will interfere in her behalf, so that she may be released from her present imprisonment, and that all further proceedings against her for the same alleged offence may be stayed.

"MARY ANN CARLILE.

"Dorchester Gaol, February 5, 1823."

On the motion that it do lie on the table,

Sir *T. D. Acland* said, there was no occasion on which it was more painful for him to speak, than in endeavouring to enforce severity of punishment against any individual, however unfortunate, or however guilty; and if he had any such wish, the present was the last occasion on which he should attempt it, as he was a member of that Society which had been visited by the reprehension of the hon. mover. He was the last person to hold an opinion on the propriety of enforcing a penalty on an individual brought to punishment indirectly through his agency. If indeed he gave an opinion, it would be, that he was most anxious that the first symptoms of returning penitence should be embraced in favour of a person who had already suffered much, and who was likely to suffer more unless her fine was remitted. In the present debate, he should not go into a general discussion of the law of blasphemy, because it would be entirely one of anticipation. The hon. member had himself moved for a general return of prosecutions, with a view to bring under discussion the law of blasphemy. He should say a few words as to the conduct of the Society for the Suppression of Vice. The business of that Society was merely to denounce to courts of justice offences which they thought could not with safety be allowed to go unpunished. Further than that the Society was not responsible; and if they did not proceed in an oppressive manner as prosecutors, which in the present case was not imputed to them, and which he believed they would not be found to have done in any case, they could not be justly visited with any reprehension. They should not confine themselves to the consideration of Mary Ann Carlile's single case in the way the hon member wished to confine them. It was to be considered in connection of the cases of others, and the severity with which the judges visited her offence (he did not mean to say undue severity) showed, that they so considered it. What was the system of blasphemy of which this individual formed a branch? They might call to mind what was their feeling at the deluge of blasphemy which was some time ago poured over the land, when blasphemous tracts were published in every street and every lane of this great town—the name of Richard Carlile was fixed to the worst and most blasphemous of the libels which had issued from the press. He could have wished to have been spared the necessity of stating the topics with which this man had the audacity to trouble the country. He should, however, select a few passages, though not the worst, for this plain reason, that some were so bad, that he knew no man who would read them aloud in any assembly. After his own prosecution, and while in confinement, he had prompted his wife to pursue the same detestable traffic. When Mrs. Carlile was also convicted, Mr. Carlile published from Dorchester gaol, the place of his confinement, a notice to the following effect:—"In consequence of the verdict of a jury, finding Mrs. Carlile guilty of selling 'Sherwin's Life of Paine,' and No. 9, vol I. of 'The Republican,' she is liable to banishment for serving in the shop; Mary Ann Carlile, the sister of Richard Carlile, will consequently conduct the business, in the same place, in behalf of the family; and if legal robbers should break into the shop in Fleet-street, she will be prepared in half an hour to begin business in another place. In vain one web is destroyed by the agents of persecution—in half an hour we shall spin another, stronger and better than before. After this notice it was, that Mary Ann Carlile opened the shop, in which she sold the publication for which she was convicted; and she could certainly be looked upon in no other way than as the successor of Richard Carlile in his abominable traffic [Hear!]. Now, what was this No. 9 of "The Republican?" By the way, this Republican was published from the very gaol where he was confined for perpetrating this very crime; and, as the law stood, his only security in publishing such things was in continuing in gaol; for, if he was out of gaol, he might, for a second offence, be banished from the country, of which he was unworthy. The following was a passage of it:—"Before the people can be blest with, and cordially receive, a perfect government, and a pure and equitable code of laws, they must reject the Bible as being the word of the true God; and also, totally disbelieve the divinity of Christ. For, while they are inflexible in the Christian faith, there is no possibility of establishing equitable laws, or even acting, in a private way, justly towards each other; for, by the doctrines of the Bible and New Testament, nature is subverted; and when nature is destroyed, no perfection can possibly remain. I was, in my youthful days, taught to read the Bible, and I continued to read and reverence it for more than twenty years, and was as tenacious of it and the Christian religion as any one could be, except, at some short intervals, when the reason that nature had given me was allowed to act; but priestcraft had carefully provided a sufficiently powerful enemy to defeat the efforts of the divine light of nature, until I had the courage to read 'The Deist' and Paine's 'Age of Reason;' and I do most affectionately intreat all my countrymen to throw far from them that book which scarcely contains any thing but blasphemy, profaneness, lies, and unequalled absurdities; and, instead of the Bible, I would, above all things, have them read attentively, 'The Age of Reason' and 'The Deist,' which are books replete with perspicuous truth." It was dreadful to think of this man, who thus artfully referred back to the time when he worshipped his God as a child in simplicity of heart. Sir T. A. read another extract, which, he conceived, would justify those who proceeded against the petitioner, from "The Republican" of the 18th of December, 1822, which declared all the books of the New Testament were forgeries, and ante-dated; that the writer would not believe a single fact asserted in the four Gospels or Acts of the Apostles; and that he did not credit one of the Epistles as a matter of history. After this, the House would judge whether the petitioner, who had made herself the instrument of this organized system of blasphemy, had been dealt with with undue severity or, whether the prosecutors had shown a morbid sensibility when they attempted to prevent the diffusion of such sentiments. As this was an anticipated debate, he should not enter further into the subject; he had only intended to say a few words in vindication of the Society of which he was a member, and he might conclude by observing, that its proceedings had been five years before the House, without having called for any reprehension.

The *Attorney-General* said, it was not his intention to enter into any defence of the societies of which the hon. gentleman complained in presenting the petition; but he should be deceived if, after the observations made, and the extracts read by the hon. member for Devonshire, indeed it was impossible, he thought, that there could be a single person in that House who could concur in the charges against the prosecution of those persons. The hon. gentleman who presented the petition had gone out of his way, in order to attack the judge who tried the petitioner, and the other individuals who were officially engaged on that trial. Against a charge of that nature, without notice to those individuals and in their absence, he most earnestly protested. He did not believe that there was any thing illegal or unconstitutional in those prosecutions. He knew that such prosecutions were not confined to the law officers of the crown. It was competent for any society or body of men to institute such prosecutions. Hard, indeed, would be the case of any attorney-general who should take on himself the prosecution of all persons who had spread blasphemy, indecency, and immorality, through the different parts of the country. In his opinion, the thanks of the country were rather due to those gentlemen who stepped forward, and conducted those prosecutions. That Society had been instituted about thirty years, and he believed that, instead of being injurious, it produced very good effects. He requested of the House not to confine themselves to the solitary case of Mary Ann Carlile. Was it to be said, that too much severity was used against those persons, who, in defiance of the laws, persevered in the course that was adopted by them. The offence of which the petitioner was found guilty, was not the first offence of that individual. The brother, Richard Carlile, and his wife were before prosecuted by the same Society for blasphemy, and not with the view of putting down fair discussion, as the hon. member said, but to prevent the spreading of such noxious opinions. The propagation and diffusion of those opinions in such publications, were any thing but fair discussion. After the conviction of this man and his wife, one after another, this woman, whose petition was before the House, was then set up to carry on the same odious business. That system called for unusual severity of punishment, inasmuch as that woman, warned as she was by the conviction and consequent punishment of her brother and his wife, pursued the same course. In her petition, she complained that she was not heard in her defence. Certainly she was not heard, because her object was not to defend herself, but to reiterate the same blasphemy for which she was under prosecution. She did not plead ignorant of the contents of the publication, nor of its dangerous tendency; she did not attempt a justification: but, instead of a defence, proceeded to read over a more odious blasphemy, if possible, than that which was under prosecution. He was not at the trial himself, but he was informed that was the course she endeavoured to pursue, until she was stopped by the learned judge who presided. The same conduct was pursued by the other judges. It was the uniform rule on which all judges acted, when indecency or blasphemy was attempted to be introduced under the pretext of a defence. She complained that she moved for a new trial, and that her motion was refused. It was refused on the same grounds as those set forth in the petition. The imprisonment to which she was sentenced was not so much a punishment on her as to deter others from committing the same offence. The hon. gentleman had complained, that excessive bail was required of the petitioner after the expiration of her term of imprisonment. The bail required was two sureties in 100*l.* each for her good conduct in future. That certainly ought not to be considered too much, viewing the greatness of her offence. Besides that, she was required herself to sign a bond for 1,000*l.* This latter could not be any impediment to her discharge. As to the charge of the hon. member on the laying down of the law by the judge, Mr. Fox often lauded and praised the practice which left the jury the whole of the law and the fact, but at the same time he acknowledged that it was the right of the judge to explain the law of the case to the jury, and it was for them to apply the law to the fact. The law in this, as in all other cases, was in the breast of the judge, who would state it to the jury, leaving them to apply it to the facts as they appeared in evidence. There was no criminal case in which the judges did not lay down the law. The hon. gentleman advanced another proposition more dangerous than any to which he had yet adverted. It was in effect, that the jury, before they pronounced on the guilt or innocence of a prisoner, were to consider what would be the punishment which would be inflicted. [No no.] He appealed to the recollection of the House, whether the hon. member did not say, that if the jury were to know the punishment, they would pause before they would pronounce the sentence of guilty. No proposition could be more dangerous to the pure administration of justice. It was no matter what the punishment was to be. He would contend, that it was the duty of the jury to pronounce on the guilt or innocence of the parties on the facts in evidence before them, without the exercise of any discretion as to the punishment to be inflicted. He therefore protested against the dangerous proposition of the hon. member. If the petition had set forth the reformation and contrition of that woman, he should know on what grounds he would receive it, but it contained no expression to that effect. He deprecated the interference of the House with sentences pronounced by the judges. If the hon. member had any charge against the judge, let that charge be brought forward in a specific form. He would maintain, that no man, considering the crime of the petitioner, could lay his hand on his heart and say, that the punishment inflicted on her was too severe. Nothing else could prevent those persons from continuing those scandalous publications. He hoped the House joined him in the opinion, that there was nothing in the conduct of the learned judge who presided at the trial of the petitioner, to merit the epithets that were so liberally bestowed on him.

Mr. *Ricardo* trusted that the House would excuse him if he ventured to say a few words upon this petition. The hon. and learned gentleman who had just sat down, appeared to conceive, that Mary Ann Carlile would have been entitled to some lenity, had she expressed contrition for her past offences, or had she stated any change to have taken place in her religious sentiments. Now, they were bound in common justice, to consider that the petitioner was expressing her own sentiments in the libel of which she had been found guilty. The demand, therefore, of the attorney-general was, that she must acknowledge that to be right, which she conscientiously believed to be wrong, before she could entitle herself to any lenity; or, in other words, that she must commit an act of the most shameless duplicity, in order to become a proper object for the mercy of the crown. While upon that subject, he must be permitted to find fault with a rule that prevailed in the courts of justice. A witness, before he was examined, was asked whether he believed in a future state: if he replied that he did not, his oath could not be taken. Supposing that an individual did not believe in a future state, and by replying that he did not, showed that he was an honest man, he was put aside as an incompetent witness; whereas, if he belied his belief, and did not act the part of an honest man, he was considered as a witness worthy of credit. He contended, that the hon. member for Devonshire had by no means answered the case which his hon. friend had made out. His hon. friend had stated, that these prosecutions had aggravated the very evil which they were instituted to check. The hon. baronet asserted, that the fact was not so —and how did he prove it? Why, he read a passage which proved that the sale continued in spite of his prosecutions, and thus confirmed the very argument which he had intended to refute. Besides, it appeared to him, that the hon. baronet, in reading the opinions of which he complained so loudly, had not taken a wise course, to keep them from the knowledge of the public. He fully agreed with his hon. friend, that the prosecutions of the Society for the Suppression of Vice had done much mischief. Blasphemy was an offence which it was quite impossible to define. Nobody, in committing it, was aware of what he was offending against. It was one thing in this country, and another thing in France; indeed, that which was blasphemy here, was not blasphemy there, and *vice versâ*. Indeed, as the law was now laid down, the mere disputing the truths of Christianity was an offence; and, therefore, the moment it was shown that the individual had sold a work reflecting upon them, that moment he stood convicted. If he said that he believed in what he wrote or sold, and attempted to state the grounds on which he rested his belief, he was told immediately he was aggravating his original offence by repeating it; and being thus precluded from making a defence, and bound as it were hand and foot, was delivered over to the vengeance of the prosecutor. The attorney-general found great fault with his hon. friend for saying, that the jury would never have returned a verdict of guilty against Mary Ann Carlile if they could have anticipated the punishment that awaited her; and had argued, that the doctrines which such a sentence inculcated was most dangerous to the interests of public morality and justice. Now he (Mr. Ricardo) fully agreed in all that his hon. friend had said upon that subject; and so far from the doctrine of his hon. friend being new or unheard of, it was a doctrine that was perpetually influencing the conduct of juries. Juries were constantly taking into their consideration the consequences that were likely to follow from their verdicts. If not, why were they so often finding individuals guilty of stealing property under the value of 40*s*. when every man was convinced that the property was worth much more? Why, but because they knew that, if they did not return such a verdict, a punishment would be inflicted incompatible with the spirit of the times? In forgeries, too, would any man deny, that the punishment which followed on conviction did not often come within the contemplation of the jury? [Hear hear!] He should therefore dismiss the observations of the attorney-general, without any further remark. He must now inform the House, that after a long and attentive consideration of the question, he had made up his mind that prosecutions ought never to be instituted for religious opinions. All religious opinions, however absurd and extravagant, might be conscientiously believed by some individuals. Why, then, was one man to set up his ideas on the subject as the criterion from which no other was to be allowed to differ with impunity? Why was one man to be considered infallible, and all his fellow men as frail and erring creatures? Such a doctrine ought not to be tolerated: it savoured too much of the Inquisition to be received as genuine in a free country like England. A fair and free discussion ought to be allowed on all religious topics. If the arguments advanced upon them were incorrect and blasphemous, surely they might be put down by sound argument and good reasoning, without the intervention of force and punishment. He was convinced that if it had not been for the indiscreet conduct of certain societies in prosecuting Mr. Carlile and his connexions, that family would never have acquired the notoriety by which it was at present distinguished.

Mr. Secretary *Peel* did not rise to reply to all the arguments which had been brought forward on the opposite side, but rather to state the grounds on which he could not recommend the individual in question to the mercy of the crown. The law of the country made it a crime to make any attempt to deprive the lower classes of their belief in the consolations of religion; and while this law remained unrepealed, he should think himself wanting in his duty, if he shrunk from applying and enforcing it. If there was any blame for continuing the imprisonment complained of, he was willing to take all the blame on himself. His learned friend had properly said, that there was no contrition expressed in the petition, not as an evidence of her present belief, but to show that, after a year's imprisonment, she gave no reason to suppose she would not again commit the same offence. She was unable to give the sureties required by the law, and contrition might have been accepted in their stead. But without either sureties or contrition, refusing both, his learned friend was justified in the remark he had made. The hon. member, as remarked by the member for Devonshire, had very adroitly appealed to the House, not to mix up other matters with the prayer of the petition, but to confine themselves to the particular case; and, if there was only the individual case, the crown would be justified in extending mercy. But this was one part of a system for propagating sophistry and delusion—it was an attempt on the part of the family of the Carliles to triumph over the laws and religion established for the general benefit. The right hon. secretary then referred to the repeated convictions of Mr. Carlile and his wife and sister, to show that they carried on a regular system for the benefit of the whole family. It proved, he said, that there was a concerted attempt to triumph over the laws, and establish a supremacy which they should not reach. It was not possible to consider this as a single crime, but one of a connected series. The hon. member stated, that, in fact, the sentence was one which involved perpetual imprisonment.—Now the sentence was, that Mary Ann Carlile be imprisoned one year, and pay a fine of 500*l*. When the crown thought she had passed a term of years in confinement, equal to that fine she was unable to pay, it might extend its mercy to her; and if he then filled his present situation, he would recommend and advise the crown to do so. The alternative was not, therefore, as stated by the hon. member, either paying the fine, or perpetual imprisonment. He avowed, that he had advised the crown to reject the prayer of her petition for her release at the present period.

Sir *F. Burdett* complimented the hon. member who had brought forward the question, for having carefully avoided every foreign matter calculated to excite angry feelings, and having limited the question entirely to its own merits. He (sir F.) however, protested against its being thought that the prayer of the petition was for mercy; it did not ask forgiveness, but justice; that an act of justice might be done which was consistent with the English constitution, and which, under that constitution, every man had a right to demand. The sufferings of the poor woman could be of no further avail, even to answer the end for which they were inflicted, for they excited universal sympathy—far more sympathy indeed for the sufferer than detestation of the act for which she was punished. His hon. friend who had brought the petition before the House, had given his majesty's ministers a fair opportunity of withdrawing from the unseemly contest in which they had engaged against the Carlile family, and of preventing the mischief from spreading further. He had left every extraneous matter out of view, and only brought forward the plain statement of a case of most gross and monstrous oppression. He (sir Francis) agreed with every thing which had been said by the member for Portarlington, considering it the very greatest absurdity in a government, and extremely futile to attempt to subdue opinions by acts of violence. Leaving out of view every religious feeling, and looking at it as it was, he considered the case of the petitioner to be a case of gross and monstrous oppression. He believed that no honest man, certainly no sincere believer in Christianity, would sanction criminal prosecutions for matters of opinion. Does not the right hon. gentleman who now protects one religion, by that, oppose and blaspheme some other? That which was religion now, was blasphemy once. The author of Christianity was put to death on the same ground, and his punishment justified by the same argument on which the attorney-general had attempted to maintain the justice of the persecution of the Carliles. If men had the honesty to declare themselves openly against any cherished prejudice, however absurd, they were sure to suffer some degree of persecution. The most scandalous outrages of old, under the pretence of upholding the cause of religion, had been perpetrated on the most paltry pretexts. The last idea expressed by the attorney-general, that of contrition by the object of this persecution, was never before heard of, except in the court of the Spanish Inquisition. The arguments of the attorney-general might appear well in the mouth of a grand inquisitor, but they were little becoming a minister of this country. But it was the motto of the profession to which the learned gentleman belonged: "An dolus an virtus." It was the custom of those gentlemen, when they had a weak case to support, to divert the attention of the auditory to matters of an irrevalent nature. So the learned gentleman, by sound and fury, by loudness of tone, and violence of action, had endeavoured to make up for the weakness of his arguments. That learned gentleman had never heard of juries being influenced in their verdict by the punishment likely to follow it. He who had practised all his life in the courts of law, was not aware that human nature sometimes revolted from a verdict which would consign the sufferer to a punishment out of all proportion with the offence charged against him! though it was the argument of Blackstone in his Commentaries, of sir Samuel Romilly in that House, and of the enlightened persons who had deprecated the severity of the law, that the perpetual perjury of juries defeated it when the punishment was out of proportion to the guilt. Yet the learned gentleman was ignorant of the fact. That learned gentleman, however, with the astuteness which characterized his profession, had avoided altogether one part of the petitioner's case. She claimed redress on the ground of justice, not of mercy. She prayed to be relieved from an enormous and scandalous fine. She, who was not worth 500 pence in the world, had been sentenced to pay a fine of 500*l.* The law and the constitution of England did not require that a relaxation from such an infamous fine should be begged on her knees by the injured party. Even if she considered that she had committed an offence, if she felt as mankind in general do, her natural feelings would rouse her against the oppression she was suffering, and prevent her from sinking in abjectedness the victim of her persecutors. The right hon. secretary had given the strongest reasons against these proceedings. He had stated a variety of monstrous and severe punishments which had produced no effect. The proper object of punishment was to repress crime, not to produce contrition. The sort of offence for which the Carliles were suffering was not a fit object of punishment at all. There could be no crime alleged, no *corpus delicti* stated. It was wholly matter of opinion. A legislature had only to do with the actions of men. It was impossible to prevent opinions from rising in men's minds, and it was a detestable slavery to endeavour to suppress them. There was this difficulty attaching to prosecutions for blasphemy; he defied the attorney-general to define it. It was the same in all cases of libel. No man could tell what was a libel till it had been found so by the verdict of a jury. No man knew when he was committing an offence; yet, by a recent law, he was liable to be transported for a second offence. He (sir F. Burdett) stood in that situation. If he should again write any thing displeasing to the attorney-general for the time being, and that learned person could contrive to get a jury to convict him again, he was liable to be transported for life [Hear!] In this state of doubt, it was an imprudent act on his part ever to put pen to paper, for no man could tell what might not be construed into a libel [Hear, hear!] The right hon. gentleman had said, the petitioner was not suffering imprisonment for life, not because she had any hope of paying the fine, and finding bail for her good behaviour (which, by the way, was a term as indefinite as that of libel), but because she would ultimately obtain her release through the mercy of the crown. What could be more unconstitutional than the tenure of this imprisonment? When the right hon. gentleman thought the petitioner had made a sufficient expiation for her offence—when 500*l.* worth of imprisonment had been taken out of the person of Mary Ann Carlile, her release was to be granted. Imprisonment for any length of time was, under any circumstances, not only a cruel waste of body, but torture of mind. Besides, did the right hon. gentleman think that he had got a lease of his office? It appeared that, if Mary Ann Carlile had any chance of working out her salvation by prolonged imprisonment, it also depended on the continuance of the right hon. gentleman in office. A practice more utterly unconstitutional never was justified in that House. He would not enter upon other topics, but he could not sit down without a remark upon the Society for the Suppression of Vice, of whom he knew nothing, except what he had gathered from the ordinary sources of information. He was astonished that the House should be told that they had heard of no acts of vexation on the part of that Society, when the whole of its proceedings were vexatious. The Society might say, that they took their defendants before a grand jury. In that respect a prosecution by them was preferable to an information *ex officio;* but it could not be forgotten, that when a number of individuals conspired and made a purse, they might, by such a kind of joint-stock prosecution ruin any person, though every time he was brought before a jury, he might be acquitted [Hear!]. He knew not how far the law could take cognizance of such societies, but he was satisfied they ought to be discountenanced and put an end to. They not only failed in their objects, but augmented all the evils which they pretended to undertake to suppress.

Mr. *Peel* said, he had never stated, as the hon. baronet seemed to think, that contrition was a *sine quâ non,* that it was impossible Mary Ann Carlile should ever be released without confessing contrition; he disclaimed this. Some one, he said, must advise the crown as to the exercise of its discretion, with regard to such cases as the present. Suppose any person should refuse to pay his fine, what would the hon. baronet do in that case? Would he then recommend such a person to be discharged? It was a just consequence of this, that he who refused to pay his fine, should pay by a certain quantum of punishment.

Sir *F. Burdett* explained. He did not suppose that contrition was a *sine quâ non.* If there were a man who could pay and would not, he should be imprisoned; but what he complained of in the present case was, the infliction of a monstrous fine, which it was impossible for the individual to pay.

Mr. *Wilberforce* defended the Society for the Suppression of Vice. The hon. member for Portarlington seemed to carry into more weighty matters those principles of free trade which he had so successfully expounded. Ours was the only free country which had ever existed in which there was no special tribunal for the protection of religion and morals. In all the republics of antiquity, in Athens, Sparta, in Rome, there were such tribunals, and in these states morals and religion were considered as the foundations, not only of private happiness, but of public virtue. Laws in general only published violations of right, and individuals who called on these laws for protection, who prosecuted other individuals, did it to defend themselves and enforce the laws in cases of offences against individuals. But in cases of offences against public morals, the greatest of all offences, the degree of injury done to any individual was so small in the first instance, so imperceptible in individual cases, though so immense in the aggregate, that no individual was sufficiently interested to prosecute such offences. For this reason it was that a small elect body of men employed in suppressing an act of this nature, by carrying the laws into action, was a great benefit to the nation. There was a sort of popular clamour about persecution, but no false opinion could be supported by this means. He would rely on the Christian religion triumphing over all its opponents, without any thing like persecution. He would let them republish Voltaire, Hume, Mirabaud, and all the other sceptics, and still Christianity would triumph—would come off without injury or defeat. Christianity supported itself by arguments, by appeals to common sense, to reason, to all that was immortal in man, and having such a powerful hold of human nature, must come out purified from all the contests and trials to which it might be subjected. His opinions on this subject were even more favourable than those of Paley, who said, "he deemed it no infringement of religious liberty to restrain the circulation of ridicule, invective, and mockery on religious subjects, because this species of writing applies only to the passions, and contaminates the imagination of the readers." He (Mr. Wilberforce) had not opposed the motion last session relative to the Trinity, because he was an advocate for free discussion—Christianity always had and always would triumph. As to blasphemy not being definable, he wished that those persons who were always trying how far they might go without actually trespassing on the law, might at least find themselves within its reach, and meet the punishment they in a manner tempted. The Society for the Suppression of Vice, which had been so much censured, had, in fact, instituted thirty-two prosecutions, all for most detestable offences, and not one of these had ever failed. Lord Kenyon, lord chief baron Skinner, lord Ellenborough, and Mr. Justice Bayley, had all spoke in terms of the highest commendation of the proceedings of this Society. Whatever some hon. gentlemen might think, who, he was sorry to say, seemed no less opposed to the law of the land than to our holy religion, he (Mr. W.) could not help thinking it no small circumstance in favour of this Society, that it was vindicated and eulogised by the judges of the land. Whatever blemishes might have arisen, either from the lapse of time or other causes, in some parts of our constitution, our criminal law had justly excited the admiration of all nations, and required few if any amendments. The attorney-general had done well to stand forward in defence of those sacred institutions, on which depended every thing that was valuable in this world and inestimable in the world to come. He had heard with astonishment an hon. member behind him (Mr. Ricardo) blame the practice of asking a witness, before his testimony was admitted, whether he believed in the Holy Scriptures. Had that hon. gentleman so little regard for the awful declaration "So help me God!" or could it be maintained that we had any thing else to depend upon for the credibility of human testimony, than the attestation of the sacred volume? With regard to the unhappy woman whose case had this night been brought into discussion, he trusted she might experience the mercy and long-suffering of that Being, against whose revealed word she had set herself in presumptuous array. The punishment, however, which she had justly incurred in this world could not be remitted without holding out a prospect of impunity to similar offenders. If such offences as hers were not to be visited by the arm of the law, the attorney-general might as well be absolved at once from all care of the public morality and religion, and every thing be suffered to go to wreck and ruin. As to the language used by those offenders, and their pretended resolution of perishing at the stake or on the gibbet, they knew enough that it was not now as in former times, and they presumed upon the mercy and lenity of the English law. He trusted the House would forgive him, if he was warm, for he felt warmly on this most important subject. He had long sat in that House, and if the experience of a long public life might give weight to his opinions, he declared his conscientious conviction, that every thing which was most valuable depended upon the preservation of the sacred institutions of the country. For their own sakes, therefore, as well as for the sake of their constituents, he implored them to preserve the religion and law of the land safe and inviolate.

Ordered to lie on the table.

Mr. *Hume* said, that as no objection had been made to the receiving of this petition, he took it for granted that the printing of it would not be opposed. He could not make this motion, however, without expressing his astonishment at the conduct of the hon. gentleman who had just sat down, who, after professing himself the enemy of all persecution, had concluded by entreating the House to encourage and continue a system of persecution. As to the Society of which the hon. gentleman stood forward as the champion, it had increased the mischief which it pretended to remove. No fewer than thirty-two victims had been dragged by this Society before courts of law, every one of whom it was their boast that they had convicted; and what was the result? Why, as fast as the prisons were filled with victims, individuals pressed forward eager to become martyrs, and oppose a system of persecution by a participation in the sufferings inflicted by their oppressors. He entreated the right hon. secretary for the home department to consider the policy of supporting these pretended friends, but real enemies of the cause of public morality; for, by upholding such a system, he would consult neither the morals nor the feelings of the country. The hon. member for Bramber had made an appeal rather to the passions than to the judgment of the House, and he (Mr. Hume) entreated him, if he had all the regard he professed for the religion of the country, and for the peace and happiness of families, to pause before he again assisted in propagating what he himself designated as poison, by advocating a system of persecution. Let him attend rather to the excellent advice of a divine, whose writings were no doubt familiar to him, but whose sound and judicious doctrine with reference to this subject, differed widely from those which he (Mr. Wilberforce) had advanced to-night. "The proper punishment," said Dr. Lardner, "for a low, mean, indecent, scurrilous way of writing, seems to be neglect, contempt, scorn and general indignation. This punishment

Woolston has already had in part, and will probably have more and more if he should go on in his rude and brutal way of writing; and if we leave all further punishment to Him to whom vengeance belongs, I have thought it might be much for the honour of ourselves and of our religion. But if he should be further punished, the stream of resentment and indignation will turn; especially if the punishment should be severe, and it is likely that a small punishment will not suffice to engage to silence nor to an alteration of the manner of writing." Mr. Justice Blackstone (vol. i. b. 4, ch. 4) says, "It seems necessary, for the support of the national religion, that the officers of the church have power to censure heretics; yet not to harass them with temporal penalties, much less to exterminate or destroy them." "All persecutions for diversity of opinion, however ridiculous and absurd they may be, is contrary to every principle of sacred policy and civil freedom." Such was the doctrine of Dr. Lardner, and such the opinion of Mr. Justice Blackstone. But was this the doctrine of the Society for the promotion of Vice? [a laugh from the Ministerial benches]. The word had fallen from him accidentally; but he would give hon. gentlemen opposite all the benefit of the accident; for in point of fact, with the single exception of their exertions in putting down obscene exhibitions, the Society had rather promoted than checked the mischiefs which they pretended to suppress. The hon. member for Devonshire, after reading what he thought was one of the worst passages in "The Republican," had asked, whether hon. gentlemen would permit such publications to go unpunished? He (Mr. H.) said he would; and if the hon. member was not likely to be influenced by his opinion, he would refer him to an opinion for which he would, perhaps, have a greater reverence—that of the present bishop of London, in his charge to the clergy of the diocese in July, 1822. That right rev. divine said, "I am, indeed, fully persuaded, that the extravagancies of frantic infidelity are means in the hands of Providence for the promotion of virtue and truth, by provoking discussions which lead to the dispersion of error, by disposing the careless to reflection, by determining the irresolute to inquiry, by awakening energies which might otherwise have slumbered in inaction, and rousing the horror and indignation which vice and impiety when they throw off the mask will never fail to inspire in generous and honest minds. Such on all former occasions has been the uniform result of the violence directed by infidels against our holy religion in this country; and when I consider the general expression of disgust at the blasphemous libels which were lately put in circulation; when I recollect the number and excellence of the popular tracts in defence of the religion so basely traduced, and the reception which they experienced from the public, I cannot but think that the evidences of the Christian revelation, and the nature and grounds of the Christian faith, are in consequence more generally understood, and the people on the whole more firmly attached to the creed of their fathers than if it had never been called in question." He should conclude by requesting the right hon. secretary, who seemed to be in possession of a scale by which he could compute how many hours of imprisonment were equivalent to a given number of pounds sterling, coldly to calculate the quantum of blood and confinement that would atone for the crime of which these poor creatures were convicted, and having made out his scale, let him fairly state it, in order that all men may know what was the consequence of the course they were pursuing

Mr. *Wynn* denied the doctrine, that no publication of mere matters of opinion could be libellous. The defence set up by the hon. member who had just sat down for these blasphemous publications might be equally applied to the obscene publications, which he himself wished to put down. He would put the case of a person who believed in no religion, and who held that the promiscuous intercourse of the sexes was neither dangerous nor indecorous; and he would further suppose him to publish a book in conformity with these opinions, and in which he should endeavour, by argument and exhortation, to promote their propagation. Could it be pretended that such a publication would not be libellous? The same impunity which the hon. gentleman would extend to blasphemous publications, would, in his view of the argument, apply also to political libels. Acts of regicide might be defended, and it might be contended with impunity, that the kingly power was opposed to the liberties of mankind, and that every individual who killed a king did mankind a service, by ridding them of a tyrant, and was consequently entitled to the gratitude of his country. He would ask whether the publication of such shocking doctrines as these were to be tolerated? Some time ago a man of the name of Spence, actually published a book in which he attempted to prove, that the supposed right to property was founded in usurpation. Could it be maintained that the publication of such a doctrine as this, and the justification of those who should endeavour to regain their rights, and put an end to this alleged usurpation, would not be libellous? The doctrine that every man was at liberty to avow and publish whatever opinions he might entertain, would lead to the dissolution of the whole frame of civil society. Was the hon. member prepared to admit, that every man was at liberty to publish whatever libellous attacks he might think fit upon his own character?

Mr. *Hume.*—At perfect liberty.

Mr. *Wynn.*—If the hon. member was of this opinion, other men might not deem themselves equally invulnerable.—What would be the effect of this doctrine, as applied to women? Was there any female, whose reputation could stand against a series of attacks, if allowed to pass unpunished, or if obliged constantly to come forward and vindicate her character in the newspapers, by proving the falsehood and malignity of her calumniators? An hon. member sitting near the member for Aberdeen (Mr. Bennet) had come forward very properly to vindicate the character of a female against one of those unmanly attacks, by prosecuting the calumniator. He thought it too much to contend, that the public were not entitled to the same protection, which was admitted on all hands to be necessary to the peace and security of private families.

Ordered to be printed.

SCOTCH BURGHS—INVERNESS.]—Lord *A. Hamilton* said, it was with extreme regret that he rose to make a motion on a subject of so much importance, at a time when the House was so thinly attended. The interests of 500,000 persons and of sixty royal burghs were involved in the subject on which he was about to speak; but, however unpleasant it might be to him to execute such a duty, in so thin a House, he should proceed to the task. He had so often complained to the House of the grievances sustained by the Scotch burghs, that no one could be surprised if, not having obtained redress, he reiterated his complaints. To mention only the case of the burgh of Inverness: in 1817, an election had taken place, which was conducted by a few individuals who had forced themselves into office. It appeared afterwards, that three of the persons so elected to the council of the burgh were disqualified to hold that office. The inhabitants of Inverness instituted legal proceedings to annul that election. This attempt was resisted by the magistrates; but, at the end of twelve months, a sentence was pronounced against the magistrates. The election was declared void, and the persons disqualified were no longer to act as commissioners. The court then gave a power for the appointment of managers until the council should be re-established. Last year it had pleased his majesty to appoint, by special warrant, particular persons to elect councillors for this burgh. Under that warrant, the same persons had been returned into office who had three years before been turned out by process of law. At whatever expense the burgesses had pursued the action which they had brought, no sooner did they obtain a verdict in their favour, than a crown warrant was issued, which undid the operation of the law. This was a state of things which would not be endured in this country; nor would it be in Scotland, but that the councillors owed their election to the magistrates, and not to the burgesses. It was true, that the persons who were turned out, petitioned his majesty that they might be re-appointed. He did not say that the granting the warrant was an illegal exercise of the prerogative, but he did say that it was an unconstitutional, an improper, an unwise, and an unprecedented measure, as applied to this particular instance. In the progress of the action he had mentioned, the burgesses had suffered another grievance, greater than those he had detailed; they had been compelled to pay the whole of the expenses, amounting to 1,400*l.*, while the magistrates had defended it at the expense of the burgh. He was sure the House would agree with him, that this ought not to be the situation of sixty burghs—that whatever redress the law might give them for injuries they had suffered, should be thwarted by the crown—that they should pay for both sides, and not receive the benefit from either. He did not know, if he were to talk for half an hour, whether he could put this point more forcibly before the House than by this simple statement. He had furnished himself with documents, for the purpose of showing that the ordinary practice and the rule of law in Scotland were not in conformity with the advice which had been given to his majesty on the present occasion. Before, however, he adduced those authorities, he felt it necessary to correct a misapprehension as to the similarity between a Scottish and an English borough, which had, in his opinion, misled the English lawyers on this subject. In England, the franchise of the borough was vested in the corporation, and if the election was wrong, and the corporation set aside, the whole rights of the borough were at an end, and had to be revived by the crown; but the charter, and all the rights of a Scottish borough, were vested, not in the self-elected dozen or score of men, but in the burgesses or freemen generally. The corporation in England were the borough itself; but the self-elected juntas in Scotland were merely the servants of the corporation, which was in reality vested in the freemen or burgesses. Hence, though the election might be found to be faulty, and the magistracy illegal, the whole charter and rights of the borough remained to the freemen the same as ever. In England a false election operated a total extinction of the rights of the burgh, and demanded a total revisal on the part of the crown; but in Scotland it operated only the removal of the magistrates, and required only an interference to put the existing machine of the borough again into operation. That the constitutional mode of doing this was by a poll election of those freemen in whom the rights of the borough were vested during the time that the magistracy were in abeyance, he was prepared to show, both from the authority of lawyers, and from the general practice. The noble lord here quoted the opinions of Mr. White, lord Callander, and lord Armiston, all of which described the power of the crown to interfere with the re-establishment of a Scottish magistracy in any other way than by a poll election, as being a very questionable, and even unconstitutional interference. The last authority which he cited, declared expressly, that the interference was illegal. He did not mean to give his opinion as a lawyer; but still his reason and common sense pointed out to him, that the practice was illegal. By the 16th George 2nd, cap. 11, s. 12, it was enacted, that it should be lawful for the constituent members of any of the Scotch burghs to attend the meeting for the election of magistrates, and if they apprehended any wrong had been done, they were at liberty to apply to the court of session, for the purpose of rectifying it. He wished to ask the House, whether, after a borough had pursued the direction of that act, and had succeeded, at considerable expense, in the action, it was just, that the crown should step in, and deprive it of the benefit of that success? But the burgesses at Inverness had so applied and so succeeded, and yet they had been deprived of the benefit of that for which they had paid double, by a warrant obtained from the crown by the advice of ministers, and in all probability chiefly by that of the lord advocate opposite. Since the Union, there had been 30 warrants granted by the crown; with the addition of the recent instances of Aberdeen and Inverness, the number amounted to 32. Out of the thirty, twenty-four of the elections had been directed to be by the open vote of the burgesses, and the remaining six had also been in the same manner, even after the warrants were received. In the times of Charles 2nd and James 2nd the power had been assumed by the crown, of naming the persons who were to be elected; but the convention of the states had declared all such appointments illegal, and the elections void. In the cases of Montrose and Stirling, the warrants had been granted on the grounds to which he now objected; but then the crown had granted a poll. He would call the attention of the House to a gross fact in the case of the burgh of Aberdeen. It was the custom there to take an annual account of the debts, that they might know the state of their affairs. The magistrates of that place had the audacity to produce an account, by which it appeared the town was indebted 6,000*l.*, when, in fact, a sum of 130,000*l.* was due from it. After having brought the affairs of the burgh to a state of bankruptcy, they added to their offence by this shameful act of duplicity and fraud. He would here introduce a comment, made by the same magistrates on their quitting office. They attributed this calamity to the system of concealment which was a necessary part of that by which the affairs of the burgh were governed, and recommended a change in this respect, without which, they said, prosperity could never be restored, nor could any set of men carry on its affairs, with credit to themselves, or advantage to the community. Was it necessary that he should state more to show, that he did not mean to tease and pester the House with slight or trivial grievances? Did he not prove, that he wished to draw their attention to shameful evils—evils which, if the system were not altered, must be of perpetual recurrence?—He would now refer to the case of Edinburgh, a town governed by 30 or 32 self-elected magistrates. Some years ago, a faulty election had taken place there; and it was natural enough, that a population of say 100,000 persons, governed by self-elected magistrates, should endeavour, when an opportunity occurred, to procure some share in the management of their own affairs. The magistrates of Edinburgh opposed the attempt; and a process was issued, as in the case of Inverness, to annul the election. After about three years of litigation, and the expense of about 4 or 5,000*l.* on each side, one would have supposed, that the complaining party were entitled to something. But, under the advice of the learned lord, whatever their success might have been, a crown warrant came down and undid it all. The court of session was then applied to, that court having the power, it was said, of deciding summarily. There the case remained for four years; and had it continued there for four years more, it would not have been brought to a conclusion; for every chicanery of law was resorted to by the magistrates, who, he believed, knew they were in the wrong. At the end of four years, the parties were allowed to appeal to the House of Lords, on some preliminary points; for they had not yet got to the merits of their case. What interrupted the proceedings? Why, the case of Aberdeen—that notorious case of bankruptcy. The parties prosecuting the cause heard that Aberdeen had been visited with the infliction of a crown warrant. Upon which they immediately exclaimed, "Oh! it is useless for us to proceed. We shall not get law: like Aberdeen, we shall have a crown warrant." Under these circumstances, what could the people of Edinburgh do, but give up the struggle in despair? The magistrates of Edinburgh, who had the public money in their hands to defend their proceedings, felt that, if they went on farther, they must lose their cause, since they were in the wrong; whilst those who prosecuted the suit, were convinced, just as their claim was, that, if they pursued it, they would get nothing in the end but a crown warrant. In this state of things, the magistrates agreed to pay the opposing party 1,100*l.* to froego any further proceedings. If they were magistrates, and were in the right, they ought to have prosecuted their suit and gained it, instead of giving away a portion of the public money; but they were not magistrates, and they were in the wrong, but they had the opportunity of putting their hands into the public purse, and taking out 1,100*l.* for their own purposes. This did not make out his case, as to the point of law; but he stated the facts, to expose a system of gross fraud and abominable iniquity. It was, however, impossible, as public opinion began to be expressed more strongly, that it could be allowed to go on much longer.—There was another point which bore strongly on the case, as it showed how justice was administered in some of these burghs. About three weeks ago, he had presented a petition from the town of Inverness, and the matters stated in that petition proved what sort of government prevailed in that town since the magistrates were displaced. Of the number so displaced, it was necessary to observe, that 12 or 13 had again got into office. When he presented the petition from two brothers of the name of Young, complaining of illegal acts on the part of the magistrates, he was answered, that it was impossible; for the magistrates were a most respectable body of men. The same thing was said when complaints were made relative to Ilchester gaol. He had nothing to do with their respectability. In their individual capacity they might be very respectable men; but what he wished to bring before the House was, their conduct as magistrates of Inverness. The petition of these young men stated, that they had been arrested for a just debt. After being imprisoned for the period specified by law, they applied for the act of grace, by the provision of which, if the creditor did not, within ten days, agree to aliment his debtor, the latter was entitled to his discharge. The creditor having refused to aliment them, they applied for their discharge, and were called upon to enter into conveyances in favour of their creditor, of *omnium bonorum*, on two sheets of stamped paper.

Now, as it was a joint debt, only one bond was necessary; and the act expressly provided, that it was not necessary for any instruments, under the act of grace, to be stamped. The stamps would have amounted to 30*s.* each, and this sum was demanded of men, who had sworn previously that they had not one farthing in their pocket. Besides this, they were called upon to pay 6*l.* fees, not one shilling of which could be legally demanded. If they had complied with these demands, they must have committed perjury. They were, in default of making these payments, kept in gaol for five days; when, the business having been brought before the superior court, lord Gillies caused them to be liberated; and the magistrates, to prevent any proceeding against them, compromised the matter, by paying the young men 32*l.* Here, again, appeared the grossness of the system. Those magistrates had an opportunity of putting their hands in the public purse; and they paid this 32*l.* out of the funds of the borough.—The noble lord concluded by moving, "That there be laid before the House, a Copy of any Warrant, granted by the Crown, in the year 1822, authorizing any person or persons to elect Magistrates in the Borough of Inverness, in the room of those recently displaced by process of Law."

The *Lord Advocate* said, that in rising to object to the motion, he felt no wish to resist the production of any document from which useful information could be elicited. The warrant complained of had not been issued by the crown on the advice of ministers, but on the advice of the privy council of Great Britain; and it authorized the magistrates to make that election which they had previously a right to make by law. He hoped to convince the House, that in issuing the warrant, a wise and a sound discretion had been exercised. With respect to the petition presented from two brothers of the name of Young, complaining of oppressive conduct on the part of the magistrates, he could now state, that nothing had been done by the magistrates with respect to those individuals, which the noble lord himself would not have done under similar circumstances. The learned lord then went through the case of the petitioners; and read a legal opinion, in which the advocate laid it down as the law of Scotland, that magistrates, under particular circumstances, might detain a prisoner, provided they alimented him properly. In this case, the additional confinement took place, in consequence of a dispute as to the necessity of drawing up the conveyance, *omnium bonorum*, on stamps. The magistrates had the point of law in their favour, but their counsel advised them, rather than contest a suit with two bankrupts, to compromise the matter, and therefore they gave those persons 32*l.* The learned lord proceeded to say, that he could see no necessity for the present motion; for the very warrant, the legality of which was now attempted to be disputed, was at that moment before the lords of session in Scotland, who would have to adjudicate upon it. Why, then, discuss the matter, when it would be decided without their intervention? It was singular, that the discretionary power of granting these warrants should be now called in question. From the time of the Revolution to the Union, as well as subsequently, the privy council were in the habit of granting them discretionally; and in the only two cases in which the right was litigated, the practice of so granting them was asserted and maintained. It was the ancient and indubitable law of Scotland, that the magistrates, with some peculiar exceptions, should have the power of electing their successors. He was astonished to find the case of Aberdeen again brought forward. He thought that it had been clearly established, that the funds of the corporation had been well disposed of in the improvement of the pier and harbour. A similar application of their funds was also manifest in the case of Inverness. In the course of election which they had pursued, they had the law uniformly with them; and though, owing to the lapse of particular classes of trades, the deviation from the strict rule had in one instance occurred, yet he saw no reason for agreeing to the present motion. The truth was, that if, instead of the course pointed out in the warrant, poll elections were granted, such would be the ingenuity of the minority in the different burghs, excited on every magisterial vacancy, that the towns would be in a state of election fermentation from the beginning to the end of the year.—Convinced that the warrant of which the noble lord complained was issued under a wise and due discretion, and knowing that Inverness had considerably improved under the present management, he should give his negative to the motion.

Mr. *Cumming* bore testimony to the local improvements which had taken place in Inverness.

Mr. *Hume* stated, that this great mistake ran through the whole of the argument of the learned lord, that he mixed up self-election, on which there was no discussion, with the issue of the warrant, founded on a discretionary power. He contended, that what the learned lord stated to be the uniform practice, rested only on the exception to the general rule—which was, for the crown to issue a warrant to the inhabitants to elect the magistrates. He commented upon the conduct of the magistrates of Aberdeen, who, however respectable in their private character, deserved no credit for their public conduct. They had laid out the public money extravagantly, and without reference to utility; for instance, they had thrown an arch of granite 120 feet wide over a puddle that he could with ease leap over. As to the improvements of the harbour, though he admitted that the trade had increased, it was in spite of the supposed improvements, and not in consequence of them. The rates had been doubled. From the increased expense, one of the most valuable articles of export, stone, was now sent by land-carriage; and as to the finances, with those the magistrates had nothing to do, as they were under the management of trustees, by whom, he was happy to say, they were much better managed than they had formerly been.

Mr. *Gordon* defended the magistrates of Aberdeen, and affirmed, that, whatever money had been expended by them, was laid out for the benefit of the town.

Mr. Secretary *Peel* said, the weakness of the case of the noble lord was apparent from this single circumstance—that nearly one-half of the debate had been occupied in an attempt to criminate persons who had nothing to do with the matter. The whole of the charge against the magistrates of Inverness resolved itself into this: that not being able to find any maltman in Inverness, they had elected others. The noble lord had admitted the legality, but doubted the soundness of the discretion exercised by the crown; but, after what he had stated of the extent of the crime imputed to the magistrates, he would submit, that no case had been made out by the noble lord, but that the crown had been rightly advised.

Mr. *Forbes* said, that the statements of the noble lord on this subject had been so often made, and so often refuted, that he wondered how the House could any longer listen to them with patience. He wished the noble lord would chuse some other hobby, and ride it less unmercifully than he had done the Scotch burghs.

Sir *R. Fergusson* vindicated his noble friend from the charge of having made an attack on the personal character of the Scottish magistracy. The question here was, whether the crown, when a burgh had been disfranchised, had a right to interfere in the election of its magistrates? He thought it clearly had no such right; but that the burgesses, in such a case, had a right to elect their magistrates by poll.

Mr. *W. Smith* thought, that, without casting any personal reflections on the magistracy in question, it must be admitted, that when gentlemen came into office, there was a certain *esprit de corps* which made them follow the steps of their predecessors, however objectionable those steps might be. During a long parliamentary experience, he did not recollect, out of many lords advocate, a single one, who had not opposed the infusion of a more popular spirit into those elections.

Lord *A. Hamilton*, in reply, begged to repeat, that a grosser case than that of Aberdeen was never heard of. The corporation was bankrupt to the amount of 130,000*l.*, having all the while described the amount of their embarrassments as 6,000*l.* only. He would also say, that the imputations he had cast upon the magistrates of Inverness, were justified by the report of the commissioners of inquiry into the state of the Scotch burghs.

The House divided: Ayes, 31; Noes, 49.

List of the Minority.

Benett, J.
Bennet, hon. H. G.
Bentinck, lord W. H.
Bernal, R.
Birch, J.
Blake, sir F.
Burdett, sir F.
Creevey, T.
Davies, T. H.
Ellice, E.
Fergusson, sir R.
Glenorchy, visc.
Grattan, J.
Hobhouse, J. C.
Hume, J.
James, W.
Jervoise, G. P.
Lennard, T. B.
Lushington, S.
Macdonald, J.
Palmer, C. F.
Philips, G.
Philips, G. H.
Poyntz, W.
Rice, T. S.
Rumbold, C. E.

Taylor, M. A.
Titchfield, marquis
White, col.
Wood, Matthew
Wyvill, M.

TELLERS.
Hamilton, lord A.
Smith, W.

MONUMENTS TO EARL ST. VINCENT AND LORD DUNCAN.]—The House having resolved itself into a committee of the whole House,

The *Chancellor of the Exchequer* said, that if, during the closing years of the late war, there were but few occasions, or at least, fewer than had once been the case, in which parliament was called upon to address the crown, on subjects similar to that to which it was now his duty to call the attention of the House, that circumstance arose, not from any want of valour, or enterprise, or credit, or renown, on the part of those who conducted the naval service of this kingdom; but it arose from the singular circumstance, that, in the earlier part of the late war, the exploits of our navy had annihilated, as he might say, those powerful means of resistance which the enemy possessed; and which exploits then gave frequent occasion for addresses similar to that which he was about to propose. It would not be necessary for him to trouble the House at any length on the present subject; but he would say, that, if the recent rarity of these occasions had deprived the House of the opportunity of testifying the gratitude which it owed to those who had devoted their lives to the service of their country, he thought that that was an additional reason why, after so long enjoying all the advantages of that security, which the efforts of our navy had conferred on us; if, in the time of peace, there should occur such an event as the death of a brave admiral, covered with years and glory, it should be the duty of the House to take care that his remains should not sink into an obscure grave. He thought it would be consistent with their feelings, as it would be with their duty, not to forget, merely from the length of time that might have elapsed since the period when great naval services had been rendered by distinguished men, the true value of those services; but rather to hold out to succeeding ages the benefit of their great example. He was sure it was not necessary for him to trouble the House with any details of the lives and general services of the two great officers, to whose merits he was about to call its attention. To say of both that they had entered the service of their country at an early period, and had discharged their duties in the most exemplary manner, was merely to say that which might with truth be said of almost every officer in the British navy. But he should not do justice to those two gallant officers, whose memory he now claimed of parliament that it should perpetuate, if he did not advert to some of the great acts which had conferred immortal honour on their names. Earl St. Vincent, when sir J. Jervis, was appointed to the command of the Mediterranean fleet in the year 1795. Although, in the early part of the war, the success which had attended the British arms in the capture of Toulon, and the destruction of a considerable part of the French fleet there, had for a short period relieved us from the presence of an enemy in that quarter of the world, yet, such was the activity of the French government, that, in 1795, it was enabled to send forth a considerable fleet which ventured to undertake two actions against lord Howe. In 1796, events of great importance occurred on the continent of Europe; he meant the extraordinary and rapid successes which Buonaparté obtained, and which formed a new era in military tactics. The result of those victories was to sweep the Austrian armies from Italy, and to give France the command of all the ports of Italy; and that circumstance, combined with the junction with Spain, compelled the British troops to evacuate Corsica, and rendered it necessary for sir J. Jervis to quit the Mediterranean with the whole of his fleet, and leave that sea at the mercy of the French fleet. It was not possible for sir J. Jervis to prevent the circumstance; because his fleet had been greatly reduced, part of it having sailed to India; and with the ships which remained under his command, he was obliged to secure the retreat of the British troops from the islands of Corsica and Elba. Sir J. Jervis proceeded to Lisbon with his small fleet to refit. In 1797, he received a reinforcement from England, which enabled him again to proceed to sea with the hope of meeting and of defeating the enemy. He left Lisbon early in 1797, and proceeded off Cape St. Vincent. After cruising there for a few days, he had the singular good fortune to learn, that the Spanish fleet, which was nearly double the force of his own, had left Cadiz, and was then in sight. It was easy to conceive, but difficult to describe, the feelings which animated the gallant commander and his officers at the sight of the enemy. Confident in his own strength, and in the courage of those under him, he did not hesitate, with his small fleet, to make a direct attack upon that of the enemy. At the first onset, he threw the enemy's line into confusion, and after a most gallant action, he obtained a complete victory. It was perhaps impossible at the present day to estimate the full value of that victory. When it was considered that the British commander had gained the battle with means and forces so inferior to those of his opponent, it was impossible not to come to the conclusion, that the effect of the victory must have been to dishearten the enemy, and to paralyze their efforts. He would pass over all the other merits of the great commander; but he could not avoid saying, that no man, to use a naval phrase, ever commanded a fleet in better style than earl St. Vincent—no man ever displayed more judgment in the selection of his officers—no man knew better how to enforce discipline—no man ever displayed greater promptitude in action, or made a better use of the means which were placed at his disposal, than that eminent individual. He was not saying too much, when he declared, that earl St. Vincent ranked with the greatest of those illustrious characters to whom the country was indebted for its glory and renown.—With respect to lord Duncan, he was unable to account for the circumstance of the debt of gratitude which the country owed to that commander not having been paid long ago. He had been unable to ascertain the cause of the omission, but he was convinced that the committee would consider the neglect which had occurred as a reason in itself why they should now do justice to the memory of that great man. As in the case of the earl St. Vincent, he would confine himself to a brief allusion to the greatest achievement of lord Duncan; namely, the battle of Camperdown. Lord Duncan had been for some time watching the Dutch fleet, and during the period that he was so employed the mutiny at the Nore broke out. He would make no further allusion to that circumstance, than by stating, that it afforded lord Duncan an opportunity of displaying the singular energy of his mind; for although he was aware that a great part of his fleet was tainted with those principles which led to fatal results with respect to some of the individuals who entertained them, and which if acted upon would have produced the most disastrous consequences to the country, he nevertheless continued to blockade the Texel with only two sail of the line, making use of every artifice possible to make the enemy suppose that he was employing the whole of his fleet for that purpose. The artifice to which the commander resorted completely succeeded. In the latter part of 1797, the Dutch fleet put to sea: it amounted, he believed, to one more sail than the English fleet. Lord Duncan, as the earl St. Vincent had done before him, hailed the appearance of the hostile fleet as the sure forerunner of success. He immediately ran his fleet between the enemy and their own shore, and thus rendered it impossible for them to escape without a most desperate action being fought. The engagement took place. The result was a most decisive triumph for the British fleet. Out of the whole of the enemy's fleet, no less than nine ships surrendered. Lord Duncan had the high gratification of receiving on board of his own ship the sword of the Dutch commander, who was one of the most gallant men that ever paced a quarter-deck, and upon that memorable day reflected as much honour upon his country as lord Duncan had done upon England. Parliament would be doing great injustice to the English character if it did not take some measures for expressing its gratitude for the eminent services which the two great men whom he had brought under the notice of the committee had rendered to their country. The right hon. gentleman concluded with moving, 1. "That an humble Address be presented to his majesty, that his majesty would be graciously pleased to give directions that a Monument be erected in the cathedral church of St. Paul, London, to the memory of John Earl of St. Vincent, as a testimony of his distinguished eminence in the naval service of his country, and as a particular memorial of the glorious and important victory which he gained over the Spanish fleet off Cape St. Vincent on the 14th day of February 1797.—2. That his majesty would be graciously pleased to give directions that a Monument be erected in the cathedral church of St. Paul, London, to the memory of Adam Lord Viscount Duncan, as a testimony of his distinguished eminence in the naval service of his country, and as a particular memorial of the glorious and important victory which he gained over the the Dutch fleet on the 11th day of October 1797; and to assure his majesty, that this House will make good the expenses attending the same."

Agreed to, *nem. con.*

HOUSE OF COMMONS.

Thursday, March 27.

INSOLVENT DEBTORS' BILL.]—The *Lord Mayor* presented a petition from 1,600 merchants, bankers, and traders of the city of London, praying for some alterations in the Insolvent Debtors' act. He said, he presented this petition with pleasure, not merely as chief magistrate, and chairman of the meeting at the Mansion-house, but also as a member of parliament, being perfectly convinced that this act, originating in benevolent and pure motives, had given rise to more fraud and robbery than it was possible for him to describe. This feeling was, he said, now universal, and all parts of the country were as desirous as the metropolis to procure some change in its provisions. It was unnecessary for him to go at length into a subject so much discussed, but he would beg to suggest these alterations in particular; that the first step in taking the benefit of this act should be an act of bankruptcy, thus leaving the creditor the option of availing himself of that mode of proceeding; that the consent of a part, at least, of the creditors should be necessary to the discharge of the debtor; and that the detaining creditor should no longer be at liberty, at his own pleasure, to relieve the insolvent. As this act was only a measure of experiment, which had been found to fail, he sincerely hoped that it would be speedily and effectually amended.

Mr. Alderman *Thompson* testified to the great respectability of the petitioners, and declared his cordial concurrence in the prayer of the petition.

Mr. Alderman *Wood* expressed similar opinions. All that the petitioners required was, not severity, but justice.

Mr. *T. Wilson* also supported the prayer of the petition.

Ordered to lie on the table.

COAL DUTIES.]—Sir *James Graham* presented a petition, which he observed was most respectably signed, being subscribed by many of the principal inhabitants of the parish of Mary-le-bone, against the coal duties, particularly as they affected coals carried coastwise. He did consider that these duties were a tax which ministers ought immediately to repeal; perhaps, before all others, inasmuch as it was one which was singularly oppressive on the poorer classes of the people.

Mr. *Curwen* said, he had great pleasure in supporting the prayer of the petition. Nothing could show the mischievous tendency of these duties more than the fact, that one-third at least of all the coal dug from the mines in Durham and Cumberland was wasted and lost, because it was of a quality that would not bear the duties in question, although it would perfectly answer the purposes of the poorer sort, if the tax was removed.

Colonel *Bagwell* complained, that besides the government duties, the duty payable on coals in the ports of Ireland rendered it an extremely dear commodity to the people of that country.

Lord W. Fitzgerald, sir John Newport, alderman C. Smith, Mr. Frankland Lewis, and Mr. Thomas Wilson, severally supported the prayer of the petition, and expatiated on the severity of this tax.

Mr. *Littleton* defended the continuance of these duties for a longer period, on the ground, that many capitals having been invested by individuals in coal-property, in different parts of the country, under such a system of duties, too sudden a repeal of the tax would be the occasion of very materially injuring those who were at present very extensively interested in coal-property.

The petition was read, and ordered to be printed.

Sir *J. Graham* next presented a similar petition from the vestry and directors of the poor of the parish of St. Pancras. The hon. baronet observed, that he could imagine no duties of a more impolitic nature than these upon coals; seeing that they had a direct tendency to discourage a trade which was the best nursery of our gallant seamen.

Ordered to lie on the table.

POOR LAWS AMENDMENT BILL.]—Mr. T. P. Courtenay moved for leave to bring in a bill "to amend the Laws regarding the maintenance and employment of the Poor." Leave was given, and the bill was brought in, and read a first time; and ordered to be read a second time on the 28th of April.

EAST INDIA TRADE.] — Mr. T. P. Courtenay moved for an account, 1. "Of the number of ships, with the amount of their tonnage, which have entered inwards, and cleared outwards, at the several ports of Great Britain, from and to the East Indies, for three years, ending the 5th January, 1823:—2. Of all goods exported from Great Britain to the East Indies and China, for three years, ending the 5th January, 1823, distinguishing each year; specifying the value of the principal articles, and also distinguishing India from China, so far as the same can be ascertained:—3. Of the value of all articles, being of the growth or manufacture of the United Kingdom, exported by the East India Company, from the year 1820—21, inclusive, to the latest period to which the same can be made up; distinguishing such as were exported as merchandize for sale, from those that were exported as stores; and distinguishing each year:—4. Of all goods, the produce of the East Indies and China, imported into, and exported from, Great Britain, for three years, ending the 5th January, 1823, distinguishing each year; specifying the quantities of the principal articles, and the aggregate value thereof; and also distinguishing the produce of India from China, so far as the same can be ascertained:—5. Of the amount of duties (of customs) received upon goods imported from the East Indies, for three years, ending the 5th January, 1823; distinguishing each year, and the principal articles:—6. Of all goods, of the produce of the East Indies and China, imported into Great Britain during each of the last three years; specifying the quantity and value of the principal articles imported, and stating the imports by the East India Company, distinct and separate from the free trade:—7. Of all goods exported from Great Britain to the East Indies and China, during each of the last three years; specifying the quantity and declared value of the principal articles exported, and stating the exports by the East India Company, distinct and separate from the free trade."—Ordered.

COMBINATION OF WORKMEN BILL—PETITION FROM NOTTINGHAM.] — A Petition from the town and county of the town of Nottingham, was presented, and read, setting forth, "That the petitioners have been informed that there is now a bill before the House, to repeal all the old obsolete laws respecting masters and their workmen, and to compile them into one code for their better government and protection; that the petitioners highly approve the condensing the numerous statutes into one, by which means the poorest persons who are affected by the law may be enabled to become possessed of the laws by which they are to be governed; the petitioners humbly hope that the House will see the extreme hardship of compelling persons, before they can be certain of the laws which regulate them, and by which they are liable to be punished if they offend, of searching the whole of the volumes of the statutes at large, passed during a period of more than 500 years, and sometimes a period of 100 years nearly occurring between each statute; that the petitioners humbly hope the House will repeal all the laws which punish workmen for agreeing not to receive low wages, as the petitioners verily believe that numbers of workmen in this country cannot subsist on their wages without being assisted by the poor-rates; that the petitioners conceive, that the punishing persons for asking for higher wages, or refusing to work for lower wages, are acts of great oppression, and have been injurious to the best interests of the country; that the petitioners have viewed with indignant feelings, the various prosecutions set on foot of late to indict workmen and other persons for criminal conspiracies, when their only offence has been jointly agreeing not to work for their wages, or refusing to take lower wages, more especially when these prosecutions have been instituted by persons who have confederated together to maintain such prosecutions, and that too in a covert manner; the petitioners humbly hope that the House will not suffer so great an anomaly to exist in the administration of justice in the country, that where persons have been prosecuted for combinations under statutes which have received the assent of the House, not more than three months imprisonment can be awarded, but in cases of conspiracy, though the offence is the same, the courts have assumed to imprison for two years, fine, and bind over for good behaviour, and even threatened to transport for seven years; that, by the operation of the existing laws relative to combinations, and the constructive laws relative to conspiracies, the petitioners are liable to be imprisoned for subscribing to relieve persons whom they know cannot subsist upon their labour, and are also liable to be indicted by revengeful persons for a misdemeanor, and which, at the same time, should be considered an act of charity; that the petitioners humbly pray that the House will cause artizans and workmen generally to be paid their wages in money, and not otherwise, for the petitioners have been eye-witnesses of the grievous, not to say ruinous effects, of paying wages otherwise than in the circulating medium, as the petitioners are decidedly of opinion, that the paying the working classes otherwise than in money, has a most mischievous tendency, not only on the interests but on the morals of such persons, as it tends to make them acquainted with pawnbrokers, and introduces them into alehouses and loose company, to dispose of such goods; that the petitioners are also of opinion, that the paying wages otherwise than in money would materially affect every other class of society, and that it would be impossible to collect the revenue, the poor-rates, &c. if the productive classes should cease to be paid in money; that the petitioners are also decidedly of opinion, that were it not for the restrictive laws which punisheth employers for paying otherwise than in money, such practice would extend in the manufacturing districts to a very wide extent, and would become nearly total, for the master to provide for the servant, and that too, in many instances, in unprofitable and unwholesome wares; the petitioners therefore humbly pray, that the House will punish such dishonest persons who pay otherwise than in money with more severity than has been hitherto enacted, by punishing such persons with imprisonment as well as fine; that the petitioners humbly pray, that the House will take the most effectual measures to protect the property of the master, which has of late been much exposed to the depradations of dishonest persons; that the petitioners humbly pray the House to make some more efficient provisions for preventing disputes between masters and servants, so as equally to protect a servant from being imposed upon by a dishonest master, and to protect a master from being imposed upon by a dishonest servant; the petitioners therefore humbly pray the House, that the bill, intituled, a bill for repealing several acts relating to combinations of workmen, and for more effectually protecting trade, and for settling disputes between masters and their work-people, or some such general bill to regulate masters and their servants, founded on its most material principles, may be passed into a law; for which purpose the petitioners humbly pray, that the said bill may be referred to a committee of the House to consider its provisions, and, provided any objections should be made to the said bill, to hear the evidence of both masters and workmen in the various trades of the kingdom, that the House may be enabled to frame such a code of laws for their mutual government as will tend most to their joint advantage, and to the general interests, welfare, and peace of the country."

PETITION FROM TOBAGO COMPLAINING OF DISTRESS.]—A Petition of the Legislative Council and General Assembly of the Island of Tobago, and its dependencies, was presented, and read; setting forth,

"That the island of Tobago (in common with the other British possessions in the West Indies) is now in a situation of such extreme distress as, if not promptly and efficaciously removed, must terminate in absolute ruin of its agricultural and mercantile interests; and, deeply impressed with a sense of the danger which impends over that colony, the petitioners venture to approach the House, to state their present situation and their future prospects, trusting that the same fostering protection which reared the colony in its infancy will not be wanting in its support, when assailed by distresses that threaten its very existence; were these distresses, however, peculiar to the colony of Tobago, any claim they might prefer in that case to the House, must have wanted the magnitude of interesest, associated with their present appeal, which affects matters so momentous, and infers consequences of so alarming a nature as to be well worthy the most serious consideration of the British legislature; the pressure which they feel, and the distresses which they complain of, are experienced by them, in common with the whole of the West India colonies, the situation of which is, at this moment, unparalleled since the commencement of their annals; the causes of this overwhelming and universal distress must be sought either in the relative situation of the British West India colonies to those of other nations in the great markets of Europe, or in the enactments of the mother country, affecting the production and sale of their principal staple commodities; and the petitioners have unfortunately to state, that to each of these sources they have in part to attribute their misfortunes; when the humane and just policy of Great Britain put an end to her share of the traffic in slaves, her colonies became unable to increase their means of agricultural labour, and indeed were able to maintain their then establishments solely by means of rigid economy, and the utmost attention to the health and welfare of their slaves; had, however, foreign powers manifested the same sincerity in their repeated promises to abolish the slave trade on their parts as have been evinced by Great Britain, or, had the faith of treaties been observed, the petitioners should not now have had to address the House; pointing out this, not merely as a subject of just animadversion, but as one of those causes which principally affects their prosperity; had the foreign colonies ceased to benefit by the importation of slaves at the same time with the British, or even at the period when they had engaged by treaty to do so, the petitioners should have entered into competition with them upon fair terms, and British capital, and British industry, would still have secured to them the superiority, but the fact has not been so; it is notorious to the world, that the flags of France, Spain, and Portugal, daily cover the importation of thousands of slaves into their respective colonies, which, thus recruited, are enabled to extend their cultivation to an indefinite extent, while the honourable strictness with which Great Britain and all her colonies have adhered to the spirit of the Abolition act, effectually precludes all hopes of successful competition; the petitioners presume not to question the policy which has given rise to the commercial laws of Great Britain relating to her West India colonies, but the petitioners beg leave humbly to state that their operation is such as to depress them materially; those prohibiting the claying and refining of their sugars for exportation, the enormous duty (almost amounting to a prohibition) upon many of their productions, and the restrictive policy by which they are compelled to seek for all their supplies in the British market, all press on them with a weight which can be thoroughly appreciated only by those who witness or experience their effects; the petitioners do not here overlook the boon which the British parliament has intended to bestow on the West Indies, by partially renewing the intercourse with the United States of America, in regard to the importation of certain articles of supply, but the petitioners beg leave humbly to state, that the scale of duties attached to the importation of certain articles therein permitted to be imported is such as to render the act (desirable as it was in point of principle) almost wholly unavailing; in such small colonies in particular as the island of Tobago, where the quantity of circulating coin is so very limited, it must ever be a matter of difficulty to procure sufficient to satisfy the immediate demand of the large duties imposed by that act, the inefficiency of which, as a matter of relief, may be understood from the fact, that though it has now been several months in operation, only one small American cargo has been discharged in the ports of that island; from these and other causes the colony of Tobago has now arrived at a pitch of distress of a deeper nature than they can possibly detail; it is a fact they earnestly submit to the serious consideration of the House, that there are few, if any, estates now in that colony which make any profitable return to their owners; the crops of very many of them, indeed, in spite of the utmost retrenchment possible in their expenditure, and of every effort to increase both the quantity and quality of their produce, have not been sufficient to pay their colonial taxes, and the price of their supplies, leaving the holders of mortgages on them without any payment, even of interest, and their proprietors without any income, while the very cultivation of other estates is only carried on by the continual sacrifice of additional capital; nor is the evil likely to be of local or temporary prevalence; on the contrary, the petitioners fear that, under the present system, it will and must extend till it attain its consummation in general ruin; in as far as lies in their own power, they have been exerting themselves to ward off this impending danger, but their means are limited indeed when opposed to such extensive evils: reluctant as the petitioners must have been to diminish the salaries of their public officers, universal distress and, the duty of affording the planter every relief in their power, which they felt to be paramount, prevailed on them to conquer their disinclination to the measure, yet public reduction and private economy have alike failed of affording any adequate relief, and the only course which promises any chance of amending their condition lies in their present appeal to the justice and wisdom of the British legislature; in making such appeal the petitioners need scarcely enumerate their claims to its protection; the vast revenue derived from those colonies, the extensive interests inseparably interwoven with their prosperity and their importance to the British empire, have ever been amply recognized; and as colonies of so much value, so much more closely connected with the interests and fate of the mother-country, and cultivated solely by British capital, the petitioners trust they need not enlarge on their confident expectations that the possessions of the British crown in the East Indies, which are entitled to no portion of their rights, will not be suffered to enter into a competition on such terms as, from the extremely low price of labour and other facilities for productions which they possess, must prove completely ruinous to them; such are a few of the principal details of their present distress, its causes, and probable consequence; the petitioners assure the House that the strongest language they could use would fail to depict its features too strongly; to the wise consideration of the House the petitioners submit their case, trusting that, in some speedy and efficient manner, the House will devise some means for their relief, without which they must soon cease to be a valuable part of the British empire."

Ordered to lie on the table.

ORANGE ASSOCIATIONS.]—The reader is requested to substitute the following correct report of Mr. Dawson's Speech on this subject, in the room of the brief outline which will be found at p. 529. It took place on the 10th of May, upon the bringing up of the report of the Committee on the Army Estimates. On the resolution, "That the sum of 19,384*l.* 4*s.* 3*d.* be granted for the charge of Volunteer Corps in Ireland," Mr. Spring Rice took occasion to make some pointed observations on the conduct of the Orange Associations. Upon which,

Mr. *Dawson* said, he thought the House had some right to complain of the manner in which all questions relating to Ireland were treated. Whenever an Irish subject was started, it was a signal to commence an attack upon those who were designated Orangemen. He was in hopes, from the tone adopted by his hon. friend, the member for Limerick, in the beginning of his speech, that he would have avoided this dangerous and unnecessary topic, but in the conclusion his moderation failed him. According to his view, the magistrates, the yeomanry, and the police were all Orangemen; nay, the first symptoms of the Orange spirit which had showed itself in the south, he traced to the importation of the police in that district. Now, as a proof how soundly these aspersions were made, and with what little justice, he would take the liberty of correcting the error into which his hon. friend had fallen; and he was sure his hon. friend would excuse him, because it was only seldom that he gave any proofs of incorrectness. His hon. friend had stated, that the south of Ireland was entirely free from the spirit of Orangeism until it had been introduced by the police.—If his hon. friend had ever visited Bandon, in the county of Cork, he would have found an inscription on its gates which savoured strongly of those principles, which are denominated Orange principles in Ireland :—

> "Turk, Infidel, or Atheist
> May enter here—but not a Papist."

He merely mentioned this circumstance to prove, that even gentlemen of his hon. friend's accuracy were not very scrupulous in their assertions when an attack was to be made on that devoted and calumniated body of men.—But if he was not disposed to agree with the member for Limerick, he was still less disposed to agree with the member for Aberdeen. He could not help expressing his indignation at the manner in which he came down to the House, night after night, and made the most sweeping declarations against every institution of the country. He trusted the House would pardon him for giving vent to his feelings; but, having the honour of commanding a corps of yeomanry—having the honour of coming from that part Ireland, which, of late, had been exposed to so much misrepresentation—he could not sit still, and permit the hon. gentleman to assert, that the yeomanry were more ready to foment disturbance than to quell it, that they were willing at any time to turn their arms against the government, without calling upon the House to mark their indignation against such unmerited attacks. The hon. gentleman might think himself justified in such a course; but, he would ask the House, what degree of conciliation, what prospect of abating party feuds, there could be, when a member gravely and deliberately accuses a whole body of men, and persons of the highest rank and respectability in the country, of encouraging treason and sedition. Will men with spirit and feeling submit to such accusations in silence? Where were his proofs? Not personal knowledge—not experience, not practice, not observation; but drawn from the most polluted sources—from either anonymous correspondents, or mischievous detractors. His hon. friend, the member for Limerick, himself an Irishman, would not have had recourse to such a mode of argument; but the hon. member—a stranger, a foreigner — neither acquainted with the habits or history of the country—without inquiry, and without hesitation, makes his unfounded statement. He called upon the House for protection, not for himself, but for his injured and calumniated countrymen. In order to indulge his rancour against the Orangemen, the hon. member had travelled widely out of his track, and had forgotten the subject more immediately before the House. He (Mr. Dawson) should, however, take the liberty of recalling the attention of the House to the question properly under discussion. With respect to the policy of continuing the yeomanry in Ireland, he thought no man who looked back to the distinguished sevices of that gallant body of men; no man who looked forward to the events which the present state of society in Ireland is likely to produce, would object to the continuance of such a constitutional force—a force upon which the same reliance might be placed in times of future danger, as had always distinguished its exertions when danger had actually appeared. From the first enrollment of the yeomanry, in the year 1796, down to the present period, the loyalty—the same desire to support the constitution, whether assailed by foreign or domestic foes—the same readiness to sacrifice their domestic comforts, to appear in arms at the call of government, had always distinguished the yeomanry of Ireland; and he could see nothing in the present state of Ireland to justify the government in depriving themselves of the support of this force. For the last four or five years a daring opposition to the laws—a secret system of intimidation, had manifested itself throughout Ireland; in 1820 it broke out into actual rebellion in the west; no sooner was that quelled than it burst out with increased atrocity in the south. The king's troops were insufficient, and the country gentlemen most gladly availed themselves of the services of the yeomanry, wherever they could be found. Instead of complaining that they were too numerous, the complaint was, that they were too few. In his opinion, the yeomanry was necessary to the salvation of the country; it had contributed, and always would contribute, to cheer and support the loyal and well-affected—to dishearten and to alarm the turbulent and disaffected; its strength had been well administered by the government; and notwithstanding the calumnies of the hon. gentleman, and the misrepresentations of the public press, its power had never been abused by the members of the yeomanry themselves, and it has found no detractors; it has found no enemies, except in those who feared the beneficial influence of its example, and who saw the annihilation of their own rebellious hopes, in the loyalty and purity of its principles: it has received, over and over again, the thanks of the parliament of Ireland—it has received the thanks of the parliament of the United empire: its conduct, in the most perilous times, has been praised by the lords-lieutenant, in their speeches to both houses of parliament in Ireland; and their services have been acknowledged and honoured by the notice of his majesty himself, as will appear by a reference to the lords' Journals in Ireland, in 1799. But, as a convincing proof of the estimation in which this force was held during the period of the rebellion, he would take the liberty of reading an extract from the report of the secret committee, appointed by the Irish Commons to examine into the disturbances of 1798—and be it recollected, that this secret committee had the best means of knowing both the causes of the rebellion, and the means which checked it, by having the evidence before them of some of the most notorious persons who figured at that time, such as Arthur O'Connor, M'Nevin, Sheares, and others—the extract attributed the salvation of the country to the yeomanry. Up to this period, he never heard a word of opposition to the renewal of the act, which has taken place, on various occasions, within the last five or six years. He thought the House was unanimous in its approbation of the constitution of that force; and it was with sorrow that he heard the report of the debate which had taken place, on the introduction of the bill. He never regretted the indisposition, which prevented him from attending his duty in the House, so much as on that night; and he gladly availed himself of this opportunity of expressing his sentiments upon the yeomanry in general, and particularly upon what fell from his hon. friend, the member for Limerick.—He thought he departed from his usual good sense and discretion, in allowing himself to make a comparison in the number of yeomanry corps in the north and south of Ireland, creating thereby an impression, that the greater number in the north was owing to the preponderance of Protestant, or, what latterly has become most improperly synonimous in Ireland, of Orange feeling. He thought it would have been wiser to have abstained, at the present moment, from any insinuation, which savoured more of party than of argument, which can have no other effect than to throw out an additional bone of contention between the two parties, and which, by a comparison addressed to the passions, and not to the judgment of the country, will remove still farther and farther the hope of that conciliation, which he so strongly advocates, and against which, by a singular felicity, he has been ingenious enough to throw out this new stumbling block.

He regretted also the intention, expressed by his hon. friend, of proposing a clause to prevent the yeomanry from joining in what he calls orange processions, and playing party tunes—with respect to the last assertion, his usual accuracy has failed him—if it had not, he would have seen that there is no occasion for any such clause—for he would venture to assert, that, for a considerable time, the yeomanry, as a body, never have joined in any such processions, or played any party tunes. There is an annual order issued by government to prevent such practices, and if any corps had disobeyed this order, he was confident, on proof of such disobedience, that it would have been disbanded instantly. Such reports may appear in the newspapers, which are so fond of considering the yeomanry for their own party purposes, but they have no foundation in fact; he had himself sat upon trials, wherein, in the collusion of parties, the yeomanry had no more to say to the quarrel than the clergy or the army; but because one of the parties, whether the aggressor or the aggressed, happened to be a yeoman, he had seen the trials magnified in the hostile newspapers, into regular conflicts between the Orangemen and Catholics—he did not fear contradiction in asserting, that the yeomanry, as a body, had not infringed this order, and that his noble friend was greatly misinformed.

Now, with respect to the insinuation which the hon. member for Limerick had thrown out, of an undue degree of preference being shown to the north in the establishment of yeomanry corps, the answer is very obvious. It is true, that out of 328 corps in Ireland, 208 are to be found in the province of Ulster: his hon. friend is aware, that, in the years 1795 and 1796, there existed a formidable coalition between the Presbyterians and the Roman Catholics, which broke out afterwards into the rebellion of 1798. The dangers of this rebellion were so great, that the government thought the military force in Ireland, at that time, much too small, and, according to the preamble of the Yeomanry act, "that further measures were become necessary for the defence of the kingdom, and for the preservation and security of the lives and properties of his majesty's subjects." It was therefore proposed to the loyal and well-affected of all religious persuasions, to enrol themselves into military corps; and, in order to avoid the embarrassments which had arisen under the old volunteer system, in which the men chose their own officers, the new yeomanry were to act under officers commissioned by his majesty. This was the origin of the yeomanry establishment—it was formed without any view to religious distinctions. There was but one qualification necessary, namely, loyalty and attachment to the constitution of the country, and a desire to subdue those who wished to overturn it. But if his hon. friend had consulted the publications of that day, he must have found how very soon the spirit of party manifested itself in this as it universally does in every case in Ireland. The Presbyterians soon detached themselves from the rebellion, when they discovered the real designs of their colleagues and allies, the Roman Catholics—when they found that instead of establishing a republic, their favourite system, they were instrumental in forwarding the designs of the Roman Catholics for the overthrow of all government, and the extirpation of the Protestant religion. They soon detached themselves from the rebellion, and many enrolled themselves in the different yeomanry corps established within their districts. But the Roman Catholics adopted a different course of proceeding—they not only opposed themselves to the establishment in its very commencement, by discouraging all persons of their persuasion from enrolling themselves in the yeomanry, but when parish meetings were summoned by the churchwardens and magistrates, for carrying the provisions of the act into execution, the Catholics attended the vestry-rooms in multitudes, and attempted to stop all the proceedings by clamour and vociferation. Finding their efforts unavailing to crush the establishment, they waited upon Mr. Pelham, then chief secretary, and proposed to enrol themselves into a corps of their own sect exclusively. Mr. Pelham most properly declined their proposal, aud recommended them to join their Protestant fellow-subjects in defence of their country without distinction of religion. But this recommendation was far from their intentions; and finding the enrollment going on with great success, and the ranks of the yeomanry filled daily with persons of the greatest character and property in the country, the Catholic leaders broke out into open condemnations of the establishment, entered into resolutions at public meetings against it, published them in their own newspapers, and loaded the government with every species of abuse, for having formed this useful body of men in defence of the country, and calumniated the yeomanry themselves in the grossest manner, by the application of party and factious epithets. The consequence was, that the spirit of the Catholic leaders in Dublin spread throughout the whole country, with a few exceptions; and as the Catholics declined entering into the corps, it naturally happened that, in those parts of the country where the Protestants prevailed in number, as in the province of Ulster, the corps were also most numerous, and where the Catholics preponderated, as in the south and west, the number of the corps declined. This was the arrangement into which the establishment naturally fell at its institution, and it has continued so, with very little variation, up to the present time. Now, with respect to the effect which has been produced on the peace of the country by this establishment, he would take six counties in the north, which have the greatest number of yeomanry corps in them, and he would take six counties in the west of Ireland, which have the smallest number, and let the House mark the result. Down has 32 corps, Antrim 29, Tyrone 25, Fermanagh 23, Cavan 21, Donegal 19; are any symptoms of disturbance to be found in any of those counties? Donegal may be afflicted with illicit distillation, and may be the scene of conflicts between gaugers and illicit distillers, but there is nothing dangerous, nothing political in these conflicts; they are not disputes between the yeomanry and the peasantry, but between the peasantry and the revenue officers; all those counties are quiet, peaceable, and, as far as the circumstances of the times will admit of, prosperous. Now, look at the other parts of Ireland—Cork, the largest county, has 8 corps, Kilkenny has 3, Limerick 3, Tipperary 7, Waterford 1, Westmeath 4, Galway 0. Let the House mark the contrast, in every one of those counties, Waterford excepted—the Insurrection act is in force. Such is the disposition of the people, that the most rigorous means are necessary to keep them even in apparent subordination. They neither fear God nor respect man; and if there is a temporary calm at present, it is owing to the force employed to maintain order, and not to any returning love of good habits. Look at the present condition of the north of Ireland, where this much calumniated yeomanry force is said to produce such disorders; where it is said to be the promoter of mischief; the origin of outrage, violence, and irritation; the bane and curse of the country; the parent of rapine, murder, and spoliation. And look to the general condition of the south, where the inhabitants ought to be happy, because the yeomanry force is comparatively small. In the north, the people are industrious and contented; and having property of their own, they abstain from attacking that of others. In the south, the people are neither industrious nor contented; and, having nothing of their own, they attack life and property with the most indiscriminate cruelty. In the north, the people have arms, which they use only in defence of their king and country; in the south, the people will risk any danger to get possession of arms, which are destined to be used against the constitution and the state. There is no part of his majesty's dominions where the power of the law is more recognized; where there is more ardent attachment to the constitution; where there is more tranquillity, order, and regularity, or more safety in confiding the possession of arms to the peasantry, than in the north. There is no part of his majesty's dominions where there is more contempt for the laws, more hatred to the established order of things, more danger from the possession of arms than in the south; and though he could not hope to convince the hon. member for Limerick that he might trust himself with perfect safety to the yeomanry of the north, yet he did not despair of securing his acquiescence in this respect, that if the government, according to his principles of justice, was to establish an equal number of yeomanry in Cork, Tipperary, and Limerick, as exist at present in Down, Antrim, and Tyrone, that the nocturnal visits of captain Rock's men for the possession of their arms, would make a residence in those counties even less desirable than it is at present. He did not wish to be understood to condemn the establishment of yeomanry in those counties, if arms could with safety be trusted to any class of the population, and if those persons would take care to prevent them from falling into dangerous hands. Let corps be formed for the protection of the county, and no matter whether they are composed of Catholics or Protestants; but he objected to the sweeping equalization of force, by which the Protestants of the north were to be disarmed, for the sake of gratifying the prejudices of the member for Aberdeen, and of giving their arms to others, who either cannot keep them, or may by possibility abuse them. Such were his opinions of the yeomanry, and he trusted, if any warm expression had escaped from him in their defence, that the House would consider the member for Aberdeen as responsible for the warmth of the discussion, and not him, who only stood up in defence of himself and his constituents.

WESTMINSTER ABBEY.]—Mr. *Hume*, on the bringing up of the resolutions for addresses for Monuments to the memory of earl St. Vincent and lord Duncan, took occasion to complain of the extortions which continued to be practised at Westminster-abbey. He knew an individual, from the country, who had lately carried his family to view the monuments in that building, and had been charged in no less a sum than 8*s*. for admission. Such a practice was disgraceful to the country, and had, over and over again, been reprobated in that House. It was absurd to say that government had no power to interfere in the matter. Surely the king, who was at the head of the church, might interfere; and if his majesty had not full power to command, it was hardly probable that a recommendation from such a quarter would be neglected. The House was told of the impossibility of universal admission; but he saw no such impossibility. He could not understand why any class of the community should be excluded from viewing the works for which they had contributed to pay. At all events, if it was necessary to name some admission fee, to prevent the intrusion of idle individuals, the demand for entrance at St. Paul's was confined to a few pence, and why should not the charge at Westminster-abbey be placed upon the same footing?

ABOLITION OF SLAVERY.]—Sir *Robert Wilson* said, that the petition which he held in his hand, and which he was proud and happy to have the honour of presenting to the House, came from a certain number of the electors whom he had the happiness of representing. He was instructed to say, that this petition would have been submitted for signatures for a longer period, and would in that case, no doubt, have received the unanimous approbation of all the electors of Southwark, had there been time to allow of calling a meeting of those individuals before the Easter recess. It was, however, considered by the petitioners, and in his opinion very advisedly, that to wait for the convening of such a meeting would be inexpedient. They had therefore determined to present their petition before the recess; that the feeling of the country might be fully known upon it, and that public attention might be awakened to the proposition to which the hon. member for Bramber had recently called the attention of the House and the country; namely, the abolition of slavery throughout the British dominions. The cause of humanity was deeply indebted to the hon. member for Bramber, who, he trusted, would yet have the happiness to witness the consummation of the labours of his life in general emancipation, and to receive the grateful thanks of those for whose benefit he had so unremittingly exerted himself. He felt some pain and humiliation when he adverted to the subject of slavery and the sufferings of slaves, residing within our own dominions. It was impossible for any man of common humanity not to feel distressed and disgusted, when he found that in our West Indian colonies there were about one million of human beings, who every morning as the sun rose, were awakened by the echoing lash of the whip, and knew but too well that they were to be treated, for the remainder of the day, like cattle, or even in a worse way than cattle, at the caprice or the discretion of a tyrannical overseer. It was stated in the petition, that a very respectable individual, who had been a missionary to one of the islands, declared, that he had never seen a black who did not bear on his flesh, the marks of the severe infliction of the whip [Hear, hear! from Mr. Bright]. The hon. gentleman cried hear, hear! but he would read the paragraph in the petition. [This the hon. member did, and it was to the same effect as the statement which he had just made.] Was it to be endured, that, in these enlightened times, nearly a million of our fellow-creatures, without any consideration of feeling or humanity, should continue to be treated as if they were mere material objects? That the wife should be separated from the husband, the mother from the child, and sold for the payment of the debts of the profligate and unthinking master? Such was the degraded condition in which the slaves were placed in our colonies, that any crime or atrocity on the part of a white man would go unpunished, if committed in the presence of blacks only, whose evidence was not receivable in a court of justice. There were many other circumstances of similar oppression; but it was not his wish, or that of the petitioners, to exaggerate the facts of the case. All that they wished was, to call the attention of parliament to the indispensable necessity of interference. The petitioners, actuated by the spirit of justice, did not ask for the immediate emancipation of the slaves. All that they required was, that such measures might be adopted as should insure that emancipation at as early a period as was compatible with the safety and security of all who were connected with the question. It was indispensably necessary to adopt some measures, were it only in counteraction of the hostility that had been manifested by the colonial authorities against all emancipation whatever. It was not his, nor the petitioners' wish, to aggravate any of the evils attendant on this system; but he might be allowed to state, that in 1802 an act was passed in Barbadoes, to increase the fines for manumission from 50*l.* to 200*l.* each. In Bermuda, an act had been passed to prohibit emancipation entirely; and to prevent people of colour from being seised of estates; and he was sorry to add, that these acts had received the sanction of the king in council. The hon. and gallant member went on to contrast our conduct in regard to slaves with that of the new republic of Colombia; one of the first acts of which was, to declare every black infant, born of slave parents, manumitted after he should have attained eighteen years of age; and in the meanwhile to declare them no longer slaves, but to continue them as apprentices under their masters, providing, moreover, for them a fund, from which, after their manumission, they might be vided with the means of seeking future support. This was an institution worthy of a nation that had achieved its freedom. How much nobler an object of the expenditure of public money was the provision of such a fund, than the attempt to support a race of foreign princes, who were tottering and falling beneath their follies, their vices, and their crimes. When hon. gentlemen remembered the government of St. Domingo, exercising all the rights of civilized power and policy, could they suppose that our black population in the West Indies would remain long in ignorance of their own degraded condition, or remain passive under what they had a right to consider as their wrongs? He asked those gentlemen who had possessions in the West Indies therefore—and many of them sat in that House—whether it would not be more advantageous even for themselves to come forward and support the proposition of the hon. member for Bramber, in order to prevent our islands from becoming a scene of carnage and desolation? Would they not otherwise be responsible for all the evils which might accrue? He trusted that the people of England would on this occasion discharge the duty which they owed to their own character, and that they would come forward and express their loud and unanimous opinion on the subject. He trusted that our government would not imitate the governments composing the holy alliance, under whose sanction slaves were openly sold as at Constantinople. Until we abolished slavery, foreigners would never believe that we had been sincere in the abolition of the slave trade. They had always thought that we wished to abolish the slave trade, because our own islands were sufficiently stocked with slaves; and of the error of that opinion, nothing but emancipation would convince them.

Mr. *Bright* said, he felt himself impelled, by a strong sense of duty, to notice the gross exaggerations which the petition contained; such, for instance, as that there was not a negro on whom the marks of the lash were not visible. He was perfectly confident, that if the allegations of the petition were strictly examined, they would be found to contain a much larger portion of falsehood than of truth. As to the character of the individual to whose authority the petitioners referred, he knew nothing respecting it. But it appeared that that person had been sent out as a missionary to his estate by a benevolent planter, who had proved the humanity of his disposition by reducing the labour which used to be performed by his slaves one-fourth. After having been so sent out, what did that person do? He was three years, and he complained that he had been allowed to preach to the negroes only eleven times a year; but preaching was not the way to ameliorate the condition of the slaves. His duty was to have visited them; to have seen to their wants; to have relieved their necessities. The individual in question, however, had too much spiritual pride to do any thing but preach; and yet it was on the authority of such a man that the petitioners called on the House to believe the allegations of their petition. The hon. member for Southwark had referred to the conduct of the republic of Colombia as an example to be followed by England with regard to the slaves in the West Indies. Now the conduct of the Colombian republic could furnish no precedent for this country. The number of slaves in Colombia was only 60,000, whilst the free population amounted to 2,500,000. Was that the proportion in the West Indies? In other respects, too, no comparison could be instituted between the Spanish colonies and our own. He was no friend to Catholicism, but it was an undeniable fact, that in those colonies in which the Catholic religion was established, the Catholic priests devoted their time to the slaves, they were their comforters, and the mediators between them and their masters. They educated them, they baptised them, they married them. What analogy was there between the two cases? could any man argue from those who were attended to, to those who were neglected? He deprecated all clamour and overcharged statement on this most important subject. Such were the representations with respect to the laws at Barbadoes, regarding emancipation. Those laws were intended not to obstruct emancipation, but to provide a fund for the support of slaves after emancipation. The hon. gentleman concluded by declaring, that the gradual progress of civilization in the West Indies would do more towards ameliorating the condition of the black population, than could be effected by the enactment of positive laws.

Mr. Secretary *Canning* said, he did not rise to take any part in the discussion; but rather to induce hon. gentlemen to postpone any further observations until the proper time should arrive. It was a subject so important, that he had no hesitation in saying, that great practical results must, in some way or other, proceed from the consideration of it. But of this he was sure, that such incidental and premature discussions as the present must materially diminish the chance of obtaining a result of a beneficial or effective character. It was unnecessary for him, who, during the whole of his parliamentary life, from its beginning until the triumph of his hon. friend, the member for Bramber, had taken a humble part in the cause of the abolition of the slave trade, to say, that it was not possible he could entertain any feeling which would induce him to oppose himself to a fair consideration of the question of emancipation. But he was sure that his hon. friend himself would agree with him, and that the House would have his hon. friend's example in support of the proposition, that it was not by inflaming the passions, that the cause of humanity could be essentially served, or that they could hope to arrive at a fair and useful conclusion upon this great subject. The time would soon arrive when it would be taken into full and serious consideration; and they must not flatter themselves that they could look at it in any other way than as surrounded by difficulties of no ordinary description; affecting as it did the rights, the property, and the feelings of so many thousand human beings. He was anxious, therefore, to submit to hon. gentlemen the expediency, not of abstaining from presenting petitions expressive of the sense of the people upon this important question, but of abstaining from enlarging on the various topics connected with it, of abstaining from the statement of facts, which, whether exaggerated or not, must be unnecessary; as there could be no doubt that there was abundantly sufficient in the state of the society to which those petitions and statements referred, to demand the serious attention of parliament, without any additional motive being presented to their minds.

Mr. *W. Smith* said, he was very much inclined to follow the advice of the right hon. gentleman, though the personal attack of an hon. member, in a sort of parable, was very little calculated to put an end to discussion. Though he did not personally know the individual alluded to, he could, from what he had heard of him, give a direct contradiction to the imputation of the hon. member.

Mr. *Bright* explained, that he was not personally acquainted with the individual referred to.

Sir *R. Wilson* said, that two years ago, he had given notice of a motion on the emancipation of slaves in the Cape of Good Hope, which he had given up on a promise from his majesty's government; but, as nothing had since been done, he had thought fit to call the attention of his majesty's ministers to the subject.

Ordered to lie on the table.

FOREIGN RELATIONS—FRANCE AND SPAIN.]—On the motion, "That the House will at its rising adjourn to Thursday the 10th of April,"

Lord *A. Hamilton* rose to object to the motion. He considered the period of adjournment proposed by the right hon. gentleman too long, and he would attempt to curtail it, by moving, as an amendment, that the House should adjourn only to Monday se'nnight. He thought the peculiar circumstances of the session, the peculiar circumstances in which the House had been placed, and the peculiar situation in which Europe at present stood, all authorized him to suggest to the House, that the protracted adjournment which had been moved was not only unusual but unwise. He was, he must acknowledge, surprised that, after the suspense in which parliament and the country had been so long kept, with respect to the conduct of the English government in regard to the differences between the French government and Spain, and after the forbearance which parliament had exercised towards ministers—a forbearance which, he might say, was unparalleled in the annals of parliament—the right hon. secretary for foreign affairs should have declared last night, that it was not his intention to put the House in possession of the papers which were to explain what had been the policy of the government until the 14th of next month. If the papers were not to be presented to the House before the 14th of April, it might be calculated that at least three weeks from that time must elapse before any discussion could take place upon them. It would have been a more proper arrangement to have placed the papers in the hands of parliament before the recess; but that not having been done, he thought the House was particularly called upon to oppose the adjournment which had been moved. But, although he objected to the length of the adjournment which had been proposed, he wished it to be understood, that he should not have remained silent even if a shorter period had been fixed upon; because he considered a motion for adjournment a fair parliamentary opportunity of adverting to any subject which was connected with the policy of ministers. He begged, therefore, to remind the House, that ministers had brought forward no measure connected with the reduction of taxation which had not originated from that side of the House on which he sat. Ministers had recanted their errors, and adopted the opinions of their adversaries. It must be in the recollection of the House, that the very policy which the government now seemed determined to adopt with respect to the Orange clubs of Ireland, had over and over again, been recommended by the opponents of ministers. But, in returning to the question of our foreign relations, he might premise, that in his opinion, the relative situation of France and Spain was in a great measure the result of the conduct pursued by ministers with regard to the holy alliance, from which the mischief originally sprung. The difficulties with which this country, as well as Spain, had to contend, were the legacy which had been left by the noble marquis who was lately at the head of his majesty's government; for if the British cabinet had pursued a different line of policy, one of two things would have happened—either England would have been more free to act, or, what would have been more fortunate, the conduct of the holy alliance would have been so different, that there would have existed no necessity for our interference. Since the right hon. gentleman opposite had accepted the office of secretary of state for foreign affairs, he had received many high compliments on the ground of the liberality of his sentiments and of his altered opinions. He (lord A. H.) had never joined in the praises which had been bestowed upon the right hon. gentleman. He could not give the right hon. gentleman credit for liberality of sentiment, until he saw a change in the conduct of his majesty's government, or an open avowal of an alteration of opinion. It would have been well if other gentlemen had been as prudent. Upon a recent occasion, when his hon. friend, the member for Westminster, had said something complimentary to the right hon. secretary, the right hon. gentleman had disclaimed the compliment, and had told the House, that his conduct had been guided by a document which he had found in his office, and which he (lord A. H.) supposed to be the celebrated circular of lord Londonderry. The House ought also to bear in mind, that when the case of Naples was referred to at the beginning of the session, the right hon. secretary had stood up and defended the invasion of that country. What had been the consequence? The French government had over and over again attempted to justify the invasion of Spain upon the precedent of the invasion of Naples. In no one instance since the fall of Buonaparté had the government of this country shown by its acts that it disapproved of the conduct of the holy alliance. It was in vain to answer him by a reference to the circular to which he had just alluded, whilst France was able to quote our conduct with respect to Naples, Genoa, and Sicily, as a justification of her own views against Spain. The holy alliance, without reference to the principles which it promulgated, was *per se* a public nuisance. It was impossible that a confederacy of kings could assemble in Europe to dictate laws to nations without exciting, not only the indignation of every free country; but also sowing the seeds of civil war in the very countries with which they interfered, in order, as they pretended, to establish tranquillity. He wished to know in what situation England stood with respect to the holy alliance. Was she a member of that alliance? In what character did she appear at the Congress of Verona, if not as a member of the alliance? Did not her representative participate in the discussions which were carried on there, and was he not bound by a majority of votes? He hoped to receive an answer to these questions. The right hon. secretary had stated to the House the treaties by which the foreign policy of this country was to be regulated. Now, he would beg the House to consider the situation in which this country stood with respect to Spain and France, and to declare whether, if the effect of the treaties was what had been stated by the right hon. gentleman, we might not be called upon to act on both sides. If Spain were to proclaim either a regency, or young Napoleon in France—and such a measure was by no means impossible; indeed, it appeared to him not to be an unnatural mode of conducting hostilities, considering that France had already adopted it towards Spain—what, in such a case, would be the condition of England? Would she not be bound to protect France against the insurrectionary designs of Spain? Again, it was a well-known fact, that Portugal had so far made common cause with Spain, as to give orders to her minister to leave Paris, as soon as the French troops entered the Spanish territories. Now, supposing that Portugal and Spain were both of them placed in a state of war with France, and that Portugal were invaded by a division of the French army, were we not engaged by existing treaties to protect Portugal against such an invasion; and, according to the construction which the right hon. gentleman had voluntarily put upon them, to interfere actively in her behalf? In what an anomalous situation, then, would the country be placed, supposing these two events, neither of which were improbable, should actually take place? On the one hand, we should have to defend Portugal from France, and on the other, to defend France from the insurrectionary movements which the very agents of Portugal might be endeavouring to excite in that country. We should have to act on both sides at once, and to fulfil engagements with both of the contending parties. In putting the questions which he had done to the right hon. gentleman, he had carefully abstained from anticipating any part of the discussion which was likely to take place at a future period on the negociations at Verona. He only wished to know in what situation this country stood, with regard to the powers who constituted that alliance, which, by a strange confusion and misapplication of terms, was denominated "holy?" Were we, or were we not parties to it? If we were, he thought that we ought immediately to subtract ourselves from it; and the ground on which he thought so was, that continuing in it could be productive of no good, must expose us frequently to the risk of war, and must always render us liable to the hatred and indignation of Europe. As long as that conspiracy of kings against the freedom of the world existed, so long would it be impossible for us to pursue such a line of policy as would be conducive to our own interests, and conciliatory of the feelings and good wishes of Europe. In these observations he wished not to be considered as giving any opinion as to the propriety of our taking a part in the war which was shortly about to commence: indeed, he had not at present information that would justify him in giving such an opinion; and even if he had, he should not now come forward to give it. This, however, he must say, that if he had been a declared advocate for our taking a part in the war, he would not have held his tongue till the present occasion—he would not have let the time pass by, when a single word from this country could have put a stop to the invasion of Spain. It was his opinion, that if ministers had publicly declared that they could not sanction—that they would not endure—the principles which the powers of the holy alliance had promulgated from Verona, Spain would never have been threatened with invasion. He had formed his opinion upon this circumstance, that, for the last two months, the government of France had been anxiously seeking for grounds on which it could recede from the contest it had provoked, if not with honour, at least without disgrace. He now called upon the right hon. gentleman to give him a distinct and specific answer to the questions he had put. If the right hon. gentleman had come to the resolution of changing the policy of this country towards Europe, and especially towards the holy alliance, let him seize the opportunity that was now afforded him, to come manfully forward and declare it. The right hon. gentleman must be aware, that any degree of praise which he might have received in that House, and any degree of popularity which he had gained out of it, had been founded on the hope, that his conduct would form a contrast to that of his noble predecessor; not that it would be in concert and conformity with it. He must hear from the right hon. gentleman a declaration of the policy he intended to pursue, before he could join in the encomium on his liberal principles. He was himself afraid that the support which ministers had given to the projects of the holy alliance for so many years past, and especially in the recent invasion of Naples, had disqualified them from opposing those projects at present. Sure at least he was, that it would require six months of the most determined hostility to this confederation of despots to convince the nations of Europe, that the British cabinet was at last convinced of the necessity of opposing the impolitic, wicked, and detestable designs which they entertained against the liberty of mankind and the general independence of nations. The noble lord then concluded by moving, as an amendment, "That this House do adjourn till Monday se'nnight."

Mr. *Macdonald*, in conjunction with his noble friend, declared, that he could by no means acquiesce in the propriety of so long an adjournment as the right hon. secretary had proposed, at the precise moment when a struggle of unexampled interest had commenced, which was to decide whether the term "independence of nations" was any longer to be found in the vocabulary of mankind. For he thought he might say, that this struggle had commenced, seeing that a delicate prince had sallied forth, amid hail and snow, accompanied by a large retinue of led horses and soft carriages, to put himself at the head of 60,000 men, for the purpose of cutting the throats of his free and unoffending neighbours, or at least offending only, because they were free. He conceived, that when such a stride had been made towards the commencement of a war, of which no man could limit the extent, or foresee the duration—when it had been acknowledged, that in any four-and-twenty hours a complete change might be produced in the relations of the country with foreign powers—they ought not to be called upon to close their doors, and to retire home to their respective occupations. On what pretence, he would ask, was this adjournment extended to a longer period than had ever been known before? Was the reason of it to be found in the length or in the labour of the session? As for the length of the session, omitting the days in which a House had not been made, it did not exceed nine and twenty days at most: and, as for the labour, with the exception of two or three questions relating to the amelioration of the sister country, and two or three more relating to the new fiscal regulations, nothing had occurred which deserved the name. Large establishments had, indeed, been voted conditionally, almost without a discussion; and, what was more, with regard to the ways and means, the chancellor of the exchequer had stopped their mouths, by appropriating for ever to his sinking fund a sum of five millions, which, in his opinion, would have been better applied if it had gone to the remission of taxes; whilst he had contrived at the same time to silence the country gentlemen, who, before the session, had talked so loudly of what they would do on its commencement, by granting them some relaxation in certain matters which pressed rather hardly upon them. As far as granting money was concerned, the House had certainly done much; but it was absolutely ridiculous—and sure he was that no man would have the hardihood—to call such an employment by the name of labour. The fact was, that the sound of something like liberal principles, from a quarter from which the House, for many years past, had not been much accustomed to hear them, had produced what his noble friend had happily called a paralyzing effect on the House. His noble friend, the member for Yorkshire, on first taking his seat in the House that session, had observed, that in consequence of the change in the language used by ministers, he scarcely knew the place in which he was. Those members, however, who had not been so much absent as the noble member for Yorkshire, knew well where they were, and had long been afraid that the flattering prospect by which he had been so much delighted, would not last. The halcyon days of confidence in ministers, it now appeared, must shortly come to an end; and the right hon. secretary, therefore, proposed a longer adjournment than usual, either because he did not wish that the conclusion of them should be more abrupt than necessary, or because he wished to give the House a sort of school-boy treat. If he were actuated by the latter wish, and looked upon the members of that House in the light of school-boys, why did he not, along with their holidays, also give them their holiday task? If he had given them the papers which had passed at Verona, and the diplomatic correspondence which had since ensued, there might have been some pretence for this unusually long adjournment; for, unless his papers differed much from those of his noble predecessor, the time proposed would be scarcely sufficient to read and understand them. The course of the right hon. gentleman, however, was widely different: he said, "Go about your business, retire to your homes, enjoy your holidays as much as you can; and when you meet again, I will give to the world the papers you require"—papers, for which, with all due deference to the right hon. gentleman, he did not believe that the world cared a single straw. The world was well aware, that the papers in question, however elegant and classical they might be in point of style, however superior to the verbose ambiguity of the right hon. gentleman's predecessor, and to the florid romance of the minister for foreign affairs in a neighbouring country, had effected nothing whatever for the public good. For those papers, he had presumed to say, that the world, comparatively speaking, cared not a flea-bite; but for England—England that had once been called the arbitress of nations—what must be the sensations of her sons, when they sat down to the perusal of documents, from which they must rise up, either deeply indignant or wofully humiliated? If the right hon. gentleman were to speak till doomsday, he would never be able to get out of this dilemma. Either the influence of England had been exerted, or it had not; and if it had been exerted in a manner worthy of the nation, it must have been exerted at Verona at the outset. If it had not been exerted, there was not a man in the country who would not join in calling for punishment on the head of the minister who had so far neglected his duty to England, to Europe, to the world. He would, however, suppose, that it had been exerted; and if it had, how did it happen, that when every man in this country was eager to check the unprincipled aggression which France was meditating upon Spain—when nineteen-twentieths of the French nation were earnestly deprecating the idea of allowing a miserable band of fanatics to plunge their infirm and aged sovereign into a war of unparalleled atrocity and oppression—when Prussia was openly deserting, Austria slowly abandoning, and the Corsican agent of Russia alone firmly abetting their iniquitous projects—how did it happen, he said, that, under such circumstances, England should have interfered with the conduct of France, and should have failed in the object of her interference? Her remonstrances had been scouted; her interposition had been rejected; and her boasted influence and authority positively laughed at. In such a situation, what must be the feelings of any Englishman who sat down to the perusal of the forthcoming documents? For his own part, he would confess, that he had no craving for these documents strong enough to induce him to call for their immediate production. He begged pardon: there was one case—a case, however, which he considered to be barely possible, though it was confidently stated to have already occurred—to the refutation of which the production of these papers was absolutely necessary. A calumny had gone forth to the world, that the English government, finding its influence nugatory with the powerful state, had employed it with the weaker; for the purpose of inducing it to consent to its own dishonour, by yielding the disputed points to presented bayonets. He wished that he could see any motion, however slight, in the right hon. gentleman to convince him that this was indeed a foul and atrocious calumny. He could hardly conceive it possible that, when the cannon of France was pointed to the Pyrenees—and the trumpet of invasion was sounding on the Spanish frontiers, the British government could advise submission to a nation preparing to bury itself amidst its blazing ruins, rather than surrender the liberty and independence which it had bravely acquired. That the government of a country which had purchased its liberty at the painful price of cashiering a king and the whole of his family—that the government of such a country should counsel dishonour to another, which, in imitation of its example, had also set limits to regal authority and despotic sway, was a circumstance which neither he nor any Englishman could willingly bring themselves to believe. However disgraceful such a counsel might be to the party which received it, it was still more so to the party which gave it; and he did trust that, though our power might have been impaired and our influence diminished—though we might have lost much of the moral and physical strength for which we had formerly been distinguished, we might still say, that our reputation was safe, that our character was untarnished, and that, whatever else we might have lost, we had still contrived not to lose our honour.—The hon. member then proceeded to observe, that, circumstanced as the House then was, in ignorance of the intentions not only of the French but of the British government; in the dark, too, on the actual state of things in Spain; he would not consume its time unnecessarily by offering any speculations upon the attitude which we ought to assume in case of a war breaking out which we had not been powerful enough to avert. Any man who looked at the enormous amount of our public debt, of which five-sixths was incurred in putting down the ambition of the Bourbons, and then in restoring them to the throne of which they had subsequently shown themselves unworthy—any man who looked to that stupendous memorial of the Tory governments which had ruled the country for the last sixty years, could not but pray that we might be spared as long as possible the necessity of again going to war. But a hundred cases came across the mind, any one of which would be sufficient to defeat so reasonable a prayer. He would specify one or two. He should be glad to know whether England would consent that the chief of the Bourbons—for so the king of France had been properly called on a recent occasion, by some of the fanatics and flatterers by whom he was surrounded—should maintain military possession of the kingdom of Spain; and if she would consent to such occupation on his part, for what period she would permit it to continue? Again, would she, with all her naval fame and commercial greatness, consent that the fleets of Russia and of France should blockade the ports of Spain, to the injury of her merchants, in order that they might more successfully achieve their own objects—objects that were so wicked and atrocious, that no Englishman even attempted to disguise the abhorrence he felt for them?—With regard to Portugal also, where the same persons who had been so busy in exciting rebellion and insurrection in Spain, were now plotting to divide from each other an united king and people—with regard to Portugal, our ancient and faithful ally—but these indeed were questions of difficulty, irrelevant perhaps to the present discussion, and he would therefore reject the observations which he had been going to offer to the House. Certain contingencies, however, had been spoken of for some time back, in which it might be possible that this country might be called upon to take up arms in conjunction with the members of the holy alliance; and others had likewise been mentioned, in which we might be called upon, if not to take up arms, at least to consult and to concert with them. He, for one, must confess, that a distinction was here made, of which he could hardly see the force; for he thought that these words "to concert and consult" were very nearly equivalent to taking up arms with them. Now, the first of these contingencies provided that, if the French government should call Buonaparté or any member of his family to the throne, the allied powers were to take up arms to dethrone him; and the second provided, that in case of any revolutionary movement taking place, unconnected with him or his family, then they should only concert and consult. Any man who read the treaties which contained these stipulations would see that they were all dependent on the natural existence of Napoleon Buonaparté. They were addressed against him personally, on the ground of the boundless ambition by which he was actuated, and the bad faith with which he observed even the most solemn treaties. Throughout the whole of them there was not a word of reference to any state of things that might arise after his death, nor any clause that affected any of his descendants. Not one single line could be found in the treaties of Chaumont or of Vienna touching upon either of these two points. It was true that, in 1815, when an attempt was made to set young Napoleon upon the throne of France, the allies treating it, perhaps properly, as a mere juggle on the part of his father, and considering that, though the son might be the puppet, the father would still be the person who would pull the wires to make him move—it was true, that the allies did then, for the first time, introduce into the treaties the words "Napoleon or his descendants." But, did any man suppose that these words bound us either to guarantee the crown of France to the Bourbons for ever, or to join with the holy alliance to preclude any other individual from wearing it? He could have wished that the right hon. gentleman had incorporated this point into the speech which he had made on a former night. For his own part, looking at the declared objects for which all these treaties were entered into, he must say, that he considered all the conventional engagements which they mentioned to be abrogated by the subsequent conduct of the allied powers. Those objects, and he had taken the trouble of extracting the very words from the treaties themselves, were declared in the following terms, to which he begged leave to call the particular attention of the House. The first was—"putting an end to unjust and unprincipled invasions:" the next was—"enforcing due respect to the rights of independent states:" and the third and last was—"the preservation of the peace and happiness of all nations." These were the cases for which the treaties in question provided; for these objects, and for these objects only, had we bound ourselves; with these views, and with no others, had our bayonets placed the family of Bourbon a second time on the throne of France; and, lest the recollection of the restored princes should be treacherous, and the world knew but too well, that they were too much in the habit of forgetting what they ought to recollect, and recollecting what they ought to forget, he would take the liberty of reading an extract from a memorial which had been sent by lord Londonderry to the duke de Richelieu, from the ministers of the united cabinets. It was as follows:—"The lively interest which they take in the satisfaction of his most Christian majesty, as well as in the tranquillity and prosperity of his kingdom, makes them hope, that the fatal chances supposed in these engagements will never be realized. The allied cabinets find the first guarantee of this hope in the clear principles, magnanimous sentiments, and personal virtues, of his most Christian majesty. His majesty acknowledges with them, that, in a state torn during a quarter of a century by revolutionary convulsions, it is not by force alone that calm can be restored to the mind, confidence to the heart, and equilibrium to the different parts of the social body [laughter!]; but that wisdom should be united with vigour, and moderation with firmness, for producing these happy changes. Far from fearing that his most Christian majesty will ever lend an ear to imprudent or impassioned councils, tending to renew discontents and alarms—to excite hatred and divisions—the allied cabinets are entirely relieved from that anxiety by the wise as well as generous disposition which the king has evinced at every period of his reign, and especially at that of his return after the last criminal attempt. They know that his majesty will oppose, to all the enemies of the public good, and of the tranquillity of his kingdom, under whatever form they may present themselves, his adherence to the constitutional laws promulgated under his own auspices, his well-understood intention to be the father of all his subjects, to efface from remembrance the evils which they have suffered, and to preserve of times past, only the good which Providence has brought forth even from the bosom of public calamity. It is thus only that the views formed by the allied cabinets, for the preservation of the constitutional authority of his most Christian majesty, for the happiness of his country, and for the maintenance of the peace of the world, will be crowned with a complete success, and that France, established upon her ancient basis, will resume the eminent place to which she is called in the European system." If, then, the objects thus declared had been frustrated, not only frustrated, but contravened, not by Napoleon, not by his family, not by his adherents, but by his enemies—if they had contravened them, not only without the consent of England, but in the despite of England—if schemes the most iniquitous had developed themselves—if the hand that was now about to fire the torch that was to subject Europe to a new conflagration was the very hand of these conservators of the peace—then, as an Englishman, he asked, whether these compacts, these conventional engagements, framed with other views, and with different hopes and prospects, were not *ipso facto* annihilated? He should have been glad to have heard from the right hon. gentleman who had gone out of his way to tell the House that he had found the line of his conduct cut and dried, something that might have led to the indulgence of a hope, that he was resolved to consult nothing but the interests of liberty, and the honour of the country. Napoleon, indeed, was no more; but something worse than his spirit survived—something unmixed with a particle of greatness. But, whatever dynasty might be placed upon the throne of Spain, not one drop of their blood, not one shilling of their treasure, would the people of this country consent to expend either in putting down one family, or in setting up another. If, then, we could not afford to step forward in support of liberty, never again with our eyes open let us be found aiding and abetting the detestable cause of oppression. It should seem, that the noble earl at the head of his majesty's councils, and the right hon. secretary, had both no very defined views upon this subject; but, after pausing to feel their way and to learn the sentiments of country gentlemen, they had at last ventured to speak out the word "neutrality," avoiding all contingent questions, and the subjects upon which the minds of the people were made up. The right hon. gentleman must be prepared to tell the courts of Europe what was the universal feeling of the country, or to bear upon his own head all the indignation which the British public would inevitably heap upon it. A few words more with reference to Spain, and he would sit down. All that he was anxious that the House, circumstanced as it was, should recognize was this—that, whether we should or should not interfere—in what mode and upon what conditions—were questions to be decided by ourselves for ourselves—were questions solely of prudence and policy, totally independent of any matter of right. No man who had read that extraordinary manifesto, the speech of the king of France, could for a moment doubt that France had given Great Britain ample and abundant ground for war. In that document hostility was declared against all free institutions originating in any other source than that of the caprice and pleasure of the sovereign. In this there was no qualification, no exception of time or place; and the principle itself admitted none. Thus the Bill of Rights and the Act of Settlement were declared invalid; the Brunswick dynasty were declared usurpers; and the shores of this kingdom, according to this doctrine, might at any time be polluted by the foot of some Cossack questioner of the Revolution. That France had given us good cause of war, all felt and knew; but whether we thought fit to accept it, must depend merely upon our own views of our own interest, at any moment, as events were developed. Pledged neutrality, France could have none. She who had taken up arms in support of such a principle, as ridiculous as it was odious, could have no pledged neutrality. Pledged neutrality would be a compact; and into what compact could England enter with France, after such a declaration? If we thought it wisdom either to let France wear out her resources in this fanatic war—this dubious contest, as he hoped he might call it—until she was glad to cry out in language not to be misunderstood, " No more of this"—if we thought it prudent to avoid the collision and jealousy which might arise, and had arisen, between two great and neighbouring nations—if we thought that " War is a fury quickly conjured up, but hard indeed to lay,"—though, from his speech, such, it was clear, was not the opinion of the deluded monarch of France—if we abstained from the contest to which we were, in fact, invited, it was not neutrality. To be passive as long as our policy required it, was not to be neutral. These political considerations, if sincere and *bonâ fide*, were, no doubt, well worthy of men of deep reflection. If, after expending fifteen hundred millions to secure tranquillity to Europe, we were reduced to the necessity of pausing to deliberate before we could again draw the sword in any cause, however just, why not manfully avow it? Such a declaration could never be discreditable nor disgraceful, unless it were disguised under false and unworthy pretences. The hearts and the prayers of the people of England were with the Spaniards: they never could be neutral when they saw, as they now saw, unmasked oppression striking at freedom: they, at least, would exclaim—" God prosper the righteous cause!" In heart and hope they could not stand indifferent spectators of a struggle so noble—so dignified: they could not coldly gaze upon the efforts of a brave, a generous nation, to keep the liberty it had conquered, against those who, profiting little by experience, would, sooner or later, rue the day when they commenced their guilty undertakings.

Mr. *Warre*, after pointing out a seeming contradiction between the treaty of Vienna and that of Aix-la-Chapelle, begged to ask the right hon. gentleman, whether the treaties into which this country had entered did, in effect, guarantee to the Bourbon family possession of the throne of France? He expressed his perfect conviction, that, among the papers soon to be laid upon the table, it would be found that the duke of Wellington had recalled to the recollection of the sovereigns at Verona, the protocol of the 5th of November, 1815, signed by the names of Metternich, Richelieu, Castlereagh, Wellington, Hardenberg, Bernsdorf, Nesselrode, and Capo d'Istria. It concluded by stating, that " in the case of this meeting having for their object affairs specially connected with the interests of the other states of Europe, they shall only take place in pursuance of a formal invitation, on the part of such of those states as the said affairs may concern." He begged to know whether Spain had been represented at the congress at Verona, and whether the invitation spoken of had been given to her? If not, the allies had been guilty of a violation of their own treaty. Whoever wished to come to the discussion of this subject three weeks hence, properly prepared, must refresh his memory by looking into the documents laid upon the table by the late marquis of Londonderry. He hoped to find in the papers to be submitted to the House a strong protest on the part of our ministers against all meddling at the congress with the affairs of Spain. He did not wish to prejudge them; but, from the weighty matters the House had to discuss, he was in favour of the shorter adjournment.

Mr. Secretary *Canning* said, he did not rise to enter into the various topics introduced upon the question of adjournment; indeed he doubted whether he should have risen at all, but for the question put to him by the hon. gentleman who spoke last, with reference to a conversation of a few nights ago upon the existing treaties to which this country was a party. The

House would not expect that he should attempt to go through the speech of the hon. gentleman, or of the noble lord, the promoter of this disscussion; for they had both touched upon topics which, by a sort of common consent, were reserved for a future period. The question to which he wished to give a distinct answer was this—whether the treaties by which this country was bound, operated as a guarantee of the Bourbon family to the throne of France? The House would do him the justice to recollect, that in the way in which he was interrogated, the other night, he had no choice, but either not to answer at all, or to reply to a dry matter of fact. He had then answered correctly. There did exist a stipulation, by which, all who were parties to it, were bound to exclude the family of Buonaparté from the throne of France. There was also another stipulation, by which, in case of any revolutionary movements in France of another sort, the parties engaged to communicate together, but without any anticipation of the results. This stipulation was contained in the treaty of November, 1815; but it was, in fact, with certain additions, the repetition of a stipulation entered into on the 25th of March, 1815, previous to the short and decisive war, of which the treaty of November, 1815, was the conclusion. It was particularly directed against the designs of Napoleon Buonaparté; and was as follows:

"The high contracting parties above mentioned solemnly engage to unite the resources of their respective states for the purpose of maintaining entire the conditions of the treaty of peace concluded at Paris, May 30, 1814, as also the stipulations determined upon and signed at the Congress of Vienna, with a view to complete the dispositions of that treaty, and preserve them against all infringement, and particularly against the designs of Napoleon Buonaparté. For this purpose they engage in the spirit of the declaration of the 13th of March last, to direct in common, and with one accord, should the case require it, all their efforts against him, and against those who shall already have joined his faction, or may hereafter join it, in order to force him to desist from his projects, and to render unable to disturb in future the tranquillity of Europe and the general peace, under the protection of which, the rights, the liberty, and independence of nations have been recently placed and secured."

The treaty of alliance recited this stipulation, and was, in fact, a treaty to exclude Napoleon Buonaparté and his family from the throne of France. This was its provision:—

"The high contracting parties having engaged in the war which is just terminated, for the purpose of maintaining inviolably the arrangements settled at Paris last year, for the safety and interest of Europe, have judged it advisable to renew the said engagements, particularly those by which Napoleon Buonaparté and his family, in pursuance of the treaty of April 11, 1814, have been for ever excluded from supreme power in France, which exclusion the contracting powers bind themselves by the present act to maintain in full vigour, and, should it be necessary, with the whole of their forces." —"And as the same revolutionary principles which upheld the last criminal usurpation might again, under other forms, convulse France, and thereby endanger the repose of other states; under these circumstances, the high contracting parties, solemnly admitting it to be their duty to redouble their watchfulness for the tranquillity and interests of their people, engage, in case so unfortunate an event should again occur, to concert amongst themselves, and with his most christian majesty, the measures which they may judge necessary to be pursued for the safety of their respective states, and for the general tranquillity of Europe."

But, in order to put the House in complete possession of the whole business, he would refer to a declaration made by the minister of this country in March, 1815. That declaration was as follows:—

"The undersigned, on the exchange of the ratifications of the treaty of the 25th of March last, on the part of his court, is hereby commanded to declare, that the 8th article of the said treaty, wherein his most christian majesty is invited to accede under certain stipulations, is to be understood as binding the contracting parties, upon principles of mutual security, to a common effort against Napoleon Buonaparté, in pursuance of the 3rd Article of the said treaty, but is not to be understood as binding his Britannic majesty to prosecute the war, with a view of imposing upon France any particular government. However solicitous the prince regent must be to see his most christian majesty restored to the throne, and however anxious he is to contribute, in conjunction with his allies, to so auspicious an event, he nevertheless deems himself called upon to make this declaration on the exchange of the ratifications, as well in consideration of what is due to his most christian majesty's interests in France, as in conformity to the principles upon which the British government has invariably regulated its conduct."

It was to this declaration that he had referred on a former night. It was a negative, not a positive, obligation—it was to prevent the accession of Buonaparté, but it was not a positive obligation as to any other family. As to the rest of the discussion of that evening, he had heard nothing that called upon him for an answer. In a state of the world, in which all first principles, it seemed, were liable to be called in question, he was not surprised at being asked "Why the House adjourned at Easter?" He did not know whether—not having deeply considered the subject—he was prepared to give any very profound reason for it. It had, however, been the usual custom, and he did not, indeed, recollect any instance to the contrary. Neither did he hope, with gentlemen unwilling to be convinced, to be able to assign any sufficient cause why the adjournment should be so long. One reason, perhaps, was, that it was for the same period last year: another might be, that the week in which parliament would otherwise meet would be a week of sessions, when gentlemen would be detained in the country. Perhaps, therefore, Thursday, the 10th of April, was as early a day as they could be expected to arrive. A third reason was, the sort of understanding that prevailed on the point; for no notice appeared on the books for an earlier day. No public business, therefore, would be impeded. As gentlemen had taken advantage of the present opportunity to state their general feelings upon the state of the country, and that was now all over, perhaps the adjournment might be passed as a motion of course. He trusted that neither the House, the noble lord, nor the hon. gentleman, would think that he treated them with disrespect; for, as soon as the House did again assemble, it would be his duty to obtrude upon them the various topics which had been urged that evening.

The amendment was negatived, and the House adjourned to the 10th of April.

PAPERS RELATIVE TO THE STATE OF IRELAND.]—The following Papers relative to the State of Ireland, were presented to the House:—

No. I.—Letter from the Lord-Lieutenant to Mr. Secretary Peel, containing Extracts from a Letter from the Attorney-general to the Lord-Lieutenant.

Dublin Castle, Nov. 26, 1822.

Sir;—I have the honour to inclose, for the information of his majesty's government, the copy of a letter from the attorney-general, together with an authentic report of the evidence taken on the late trials in Dublin, of several persons, for the crimes of administering and of taking unlawful oaths.

I request your particular attention to that part of the letter of the attorney-general, which recommends the extension of the provisions of the act of the 39th Geo. 3rd to Ireland; and I beg leave to express my entire concurrence in that recommendation, and to add my humble request, that the early attention of parliament may be called to this measure, as being intimately connected with the means of checking the progress of the system of illegal associations in Ireland. I have the honour to be, &c. &c. WELLESLEY.

P. S.—These communications would have been forwarded sooner, but that considerable time was required for printing authentic copies of the evidence given on the trials.

Nov. 9, 1822.

My Lord;—Your excellency will learn, from the report of Mr. Greene, who has taken a correct note of the evidence, the particulars of the late trials.—I cannot, however, postpone my congratulations on the result, which I consider as likely, not merely to give an immediate check to the spreading of the conspiracy, but as affording the reasonable expectation of its final suppression at no very distant period.

I fear that, in five or six counties, great numbers, indeed, of the lower classes have been involved in it; some of them from a love of enterprise and ready disposition for mischief; some on a principle of counteraction to exclusive associations of an opposite description; but most of them, I should hope, from terror on the one hand, and the expectation of impunity on the other. This expectation must now be effectually removed; and the terror of the law will, I trust, soon be substituted in the place of the terror of the conspirators.

I strongly incline to think that the course of proceeding, which, with your excellency's sanction, I have adopted, has been the wisest that could, under all the circumstances, have been resorted to.

A prosecution for high treason would have rested on an insecure foundation in law; its success would have been extremely doubtful, with reference to the probable effect of the evidence; and to have been defeated in the attempt to establish such a charge, would have been injurious in a high degree. A charge for a traitorous conspiracy, would not have been liable to the same objections in law, but its success would, in my opinion, have been very doubtful; and even if convictions had been obtained, many persons would have doubted their justice, and the punishment would have been nothing beyond that of a misdemeanor; whereas we now have seven convictions, drawing after them the sentences of transportation for life; and one, that of transportation for seven years; and besides, every person must be entirely convinced, that the crime alleged was really committed; and that the evidence was, in this respect, perfectly true. Universal distrust is now spread amongst these people; and, by watching the occurrences at these meetings, and, perhaps, by a few additional convictions in some of the counties into which the mischief had extended itself, I trust we may, without being too sanguine, look for a gradual return to quiet, and, perhaps, to better dispositions. At the same time, I cannot but wish, that the provisions of the 39th of the late king were extended to this country; under them we could transport for seven years, all who should be proved to be members of the association, without the necessity of establishing the fact of administering or taking the oath; with such an instrument to work with, I should entertain a confident expectation of entirely subduing this offensive and disgusting conspiracy.

Your excellency will observe with regret, that the association has been founded on a principle of religious exclusion. It is, however, a matter of great satisfaction to know, that no person of any rank or consequence, or indeed of any respectable station in society, has joined in or countenanced it. The juries were sworn without any reference to religious persuasion; a rule which I have uniformly observed, and in the consequences of which I have never been disappointed.—I have, &c.

(Signed) W. C. PLUNKETT.

No. II.—Letter from the Lord-lieutenant to Mr. Secretary Peel.

Phoenix Park, January 29th, 1823.

Sir;—A considerable time has elapsed since I have addressed to you a detailed report of outrages committed in the provinces of Ireland, according to the plan which I pursued during the last winter and spring, of submitting periodical statements on that subject, for his majesty's information.

During the summer and the early part of the autumn of 1822, the measures sanctioned by parliament, for the restoration of tranquillity, combined with other causes, had produced such a degree of quiet, that no necessity existed for my usual communications; and I entertained a hope, that I might have been able at this time to furnish a very favourable report of the actual state of the country; and that this winter would have passed without any material disturbance of the public tranquillity.

Although events have happened in some of the provinces, which have disappointed my expectations, I am happy to inform you, that the general condition of Ireland, with respect to internal tranquillity, is considerably ameliorated.

In the county of Limerick, the principal seat of the late disturbances, my expectations have not been disappointed. The reports from the magistrates of that county, present no aggravated cases of crime, but manifest indications of the decline of that system of illegal and secret combination, which originally led to open violence. Information is now more readily afforded; criminals are more easily detected; and the witnesses against them no longer entertain that extreme apprehension of danger, which, during the early part of the year 1822, so universally, and so justly prevailed.

Limerick, therefore, has been restored to a state of tranquillity, and it is now more exempt from crimes than other counties, which have been deemed tranquil. The condition of Limerick, however, cannot justify the removal of any considerable portion of the force of the army or police; nor the suspension of the operation of the Insurrection act.

In the general conflict of political opinion, which is the prevalent character of

Ireland, many persons declare the spirit of the people of Limerick to be unimproved; and attribute the existing tranquillity, exclusively to the terror produced by the means employed for enforcing obedience to the law.

But, whatever may be the original cause of tranquillity, I do not apprehend that the county of Limerick will soon be disturbed again, to any great degree. Under the protection of the law, lately enacted, an improved force of police has been established in the county; and the magistrates have incessantly laboured to improve the local administration of justice, and to give additional power to the laws, by a more vigorous and impartial exercise of their provisions.

If the protection now afforded be continued for a sufficient period of time to render the success of the plans of the original agitators hopeless and impracticable, the ordinary laws, under a just and pure administration, may be found amply sufficient for the preservation of the public peace in that county.

It is impossible not to contemplate the improved condition of the county of Limerick with a degree of satisfaction, not confined to the limits of that district, but opening to a prospect of similar and more extensive benefits, through the introduction of similar improvements in other parts of Ireland. Nor can I withhold the testimony of my most cordial approbation of the merits of the nobility, gentry, clergy, and magistrates of Limerick, in enabling the government to lay the foundations of this great and auspicious work—by which the main source of disorder and lawless violence has been rendered an example of tranquillity, and of the due administration of justice. In the advance which has been made towards this salutary reform, the services of Mr. Serjeant Torrens have been most essentially and eminently useful; nor is it possible for me to express, in terms of too warm commendation, my grateful sense of his judicious, humane, and active and persevering exertions.

The county of Clare has generally been exempt, until lately, from outrages of a serious or insurrectionary character.

At the end of November last, however, some disposition to disturbance began to manifest itself in Clare—by notices on the subject of tithes—by punishing persons engaged in the collection of them—and by a violent attack on Mr. M'Cullock, a clergyman, whose life was seriously endangered by the injuries which he suffered.

To such an extent had crime prevailed in the barony of Tulla, that the magistrates had anticipated the necessity of requiring the application of the provisions of the Insurrection act.

Serious outrage, however, has been principally confined to the proclaimed districts of the counties of Cork and Tipperary.

At the close of the harvest, a general disposition was manifested, in those districts, to invade the property of the clergy, and of others receiving an income from tithe.

The system of notices (not applied, as formerly, to rents and tithes,) was confined to tithes; and these notices were followed by acts of outrage, differing from those in the last year, both in character and conduct.

Tithe property, whether in the hands of laymen or ecclesiastics, was the object of attack; and the means usually employed, destruction by fire. During the latter part of September, few nights passed without the destruction, by fire, of some building, haggard or stacks of tithe-corn, in the proclaimed baronies of the county of Cork. The same system has continued in those baronies, with some abatement, to the present time.

It is a curious circumstance, however, in the character of these transactions, that, in several instances, the grain had been artfully separated from the straw, and had been sold by the proprietor of the stacks, for its full value; and that the same proprietor had destroyed the stacks of straw by fire, with a view of recovering from the barony the full value of the corn already sold. These cases were not unfrequent.

The incendiary was of course undiscoverable.—The fact of such numerous and secret conflagrations was alleged to be an indisputable proof of general combination, until the vigilance of the military and police actually detected a considerable number of the stacks of straw, cleared of the grain, and prepared for the fire, and thus discovered the whole mystery of this double fraud.

By the activity of the troops and of the police, the number of conflagrations has been gradually reduced; several instances, however, of that outrage occurred during the last week, in one barony.

While these lawless outrages have been directed against tithe property, the former system of robbing houses for arms, has not been altogether abandoned.—Attempts to destroy persons obnoxious to the insurgents, on account of information given, or of a refusal to obey their commands, have been renewed; but these robberies have not been frequent, and have appeared rather subsidiary to the attainment of other objects, connected with the destruction of the property of the church.

In the course of November, the system extended itself to the barony adjoining those originally proclaimed, to such an extent, as to require the application of the provisions of the Peace Preservation bill.

Instances also have occurred of similar outrages against tithe property, in parts of the county of Cork, more remote from the baronies in which the spirit of violence originally appeared. There is reason to believe, that in some of these cases, the outrages have been perpetrated by persons detached for the special purposes, from the disturbed baronies; and even in the parts of the country where the outrages have most prevailed, they have seldom been conducted by persons of the immediate neighbourhood, with the exception of the cases of fraud already described.

In Tipperary a similar system commenced, though in a mitigated degree. During the latter part of September and the month of October, some destructions of property by fire occurred; notices were posted, and some attacks were made for the purpose of procuring arms. The progress of disturbance appeared so rapid to some persons, as to induce the magistrates, assembled at a special session, to request an extension of the Insurrection act to a barony to which it had not been previously applied.

The request having been received on the eve of the proclamation for carrying into effect, in that county, the new system of police, it was thought advisable to withhold the application of the Insurrection act, until the effect of the new system of police had been ascertained by experiment.

Many crimes have since been committed in the county of Tipperary, but not generally, of the former insurrectionary character.

The districts of the King's and Queen's counties, bordering on Tipperary, have been affected by similar disorder; property has been destroyed by fire; and in some places, great apprehensions have existed of the disturbance of tranquillity. The establishment of an effective police, under the act of the last session, in both these counties, will probably reduce the spirit of outrage within more narrow limits; and, it may be hoped, will ultimately extinguish it.

In the county of Roscommon, notices of an inflammatory and threatening character, during the winter, have been generally circulated.

Outrages have at intervals been committed, of an aggravated nature, some partaking of the character of those now prevailing in certain districts of the county of Cork, and others more connected with the general disturbances of the last year; but, in consequence of the exertions of the police, the outrages in Roscommon have not attained any alarming height.

Some disturbance has also occurred in the counties of Kildare and Westmeath; it has been met, in both instances, by an extension of the Peace Preservation act to additional baronies.

The province of Ulster maintains its tranquillity. From many quarters information has been received, of an increased activity in the swearing of Ribbonmen; and, in some instances, meetings have been held, which have terminated in serious affrays; but, with the exception of these riotous proceedings, the peace of the province had been generally preserved by the exertions of the gentry and magistrates. This general view of the state of Ireland certainly exhibits a scene of improved tranquillity, compared with the corresponding period of the last year.

Numerous crimes are recorded in the reports of the several magistrates; but they have not been so frequent, and generally not of so sanguinary a character, and not so strongly marked by a systematic resistance of authority. The fear of the law appears, in many instances, to have superseded the dread of lawless vengeance. Difficulties of procuring evidence of crimes, committed even in the presence of many witnesses, still exist; but those difficulties are neither so great nor so general as in the former periods of time. The execution of some individuals, for the murder of a crown witness, at Limerick, has given confidence to the well-affected; and has created a general impression, that the law is able to avenge and to protect those who assist in its due administration. On the other hand, in most of the lately disturbed districts, a general distrust of each other, has been diffused amongst the authors and agents of violence and disorder: and a general terror exists of the peril of extensive combinations of insurrection. This alarm has certainly arisen from the more vigorous, and, at the same time, impartial administration of the law.

Undoubtedly, throughout the whole country, a general disposition prevails to invade the property of the clergy, to resist the payment of tithes; and to resort to every means of defeating all demands of the church. This may be partly attributed to the difficulties of the times, partly to the spirit of resisting lawful authority, which has been so sedulously encouraged. While this spirit shall continue to break forth in outrages of the nature now prevailing in some districts of Cork, and in other places; while these outrages shall be committed by combinations of persons not immediately connected with the actual scene of mischief, but traversing the country at night, in gangs of incendiaries; prudence must forbid the relaxation of those extraordinary powers which parliament considered to be necessary for the preservation of the peace of Ireland; and which, duly exercised, have already contributed to produce whatever improvement has been effected in the general state of the country.

Among the causes of public amelioration which have commenced to operate in Ireland, the act of the last session of parliament for the improvement of the police, demands particular notice.

The introduction of the improved system of police, has been accomplished gradually, and with general good will and temper in several counties.

The magistrates have cheerfully cooperated in giving effect to this great and salutary alteration in the internal government of Ireland.

It would neither be prudent nor just to precipitate the extension of so considerable a change of system; the beneficial progress of which might be frustrated, but could not be accelerated by a premature effort to force its universal application.

In some districts, the practical benefits of the system itself, have already commenced their operation. It would, however, be as vain and presumptuous to expect, instantaneously, the full advantages of such a change, as it would have been rash to hasten its introduction. The course of time, the steady perseverance of the government, and the progressive confidence of the gentry and magistracy, may be expected to mature and perfect the good fruits of this wise and useful law, wherever it has been applied; until a general sense and view of its happy consequences shall sanction its general extension.

In the mean while, it is highly satisfactory to observe, that the early appearance of this plan bears an aspect so favourable and hopeful.

Similar observations occur with respect to the revision of the commission of the peace. No reasonable mind could expect that so invidious a task could be attempted without occasioning partial discontent; or that a work so difficult and complicated, could at once be accomplished and displayed in complete perfection. The experience of all practical government, the rules of all political wisdom, would naturally suggest, that such a revision could not be perfect in its first effort; and must require frequent and careful reconsideration, before its advantages could be entirely realized.

Accordingly, complaints have arisen, with respect to the most delicate and arduous considerations, in the progress of this necessary reform; attention has been paid to these complaints, wherever it has been deemed consistent with the principles of the proposed improvement; and I have no doubt, that the commission of the peace will be the object of constant vigilance and care, until the beneficial views of his majesty's government shall be perfected, to the utmost practical extent, in the general improvement of the magistracy of Ireland.

In some counties, the reform is already almost complete, and is generally satisfactory; while, throughout Ireland, the mere knowledge of the existence of a system of revision has produced salutary consequences, by increasing the diligence, accuracy, and careful conduct of the magistrates—and by a more effectual and more pure administration of the law.

The useful practice of assembling frequently and regularly in petty sessions, has been introduced into some counties; and the dangerous habit of administering justice by separate magistrates, at their respective residences, is gradually subsiding.

I have given every encouragement to the extension of the system of holding petty sessions; and, at one moment, I contemplated the propriety of suggesting a law upon the subject. But, having reason to believe that the magistracy is generally disposed to adopt the practice by voluntary regulation, I prefer the experiment of their own uncontrolled goodwill, until I can ascertain, by time, whether the addition of legal rule may be necessary to stimulate their exertions.

From the statement of facts contained in this despatch, and from the observations which I have submitted to you, it will appear, that the general condition of Ireland, with regard to the internal peace and tranquillity of the provinces, is considerably improved since the last winter; that the appearance of systematic disturbance is confined to a few districts on the north-western boundary of the county of Cork; and that, even in those districts, no insurrectionary combination has been manifested; but that a most outrageous attack has been made upon the system of tithes, and upon the rights and property of the church with reference to that system.

That a considerable improvement has been effected in the administration of the law, within the districts which had been disturbed; and that it is reasonable to expect increased vigour and purity in that administration. That the new police had been introduced into the lately disturbed districts, and into others, with general approbation, with the cordial and effective co-operation of the magistrates, and in many instances, with great success in the detection of crime, the speedy apprehension of offenders, and the maintenance of public peace.

That the revision of the magistracy is proceeding regularly; and that the general conduct of the magistrates, in establishing frequent petty sessions, and other useful regulations, affords just reason to expect a progressive improvement in the magistracy of Ireland.

I have not referred in this despatch to the dangerous system of associations under the obligation of secret and mysterious oaths. Having, sometime since, submitted to you a separate despatch, relative to the trial and conviction of several persons denominated Ribbonmen, I added to that despatch some observations, suggesting the necessity of strengthening the law of Ireland against the peril of those societies.

The question of the increase or diminution of the spirit of this association, is stated differently, according to the particular views, imaginary interests, and flagrant zeal of conflicting parties.

In this contention (ludicrous in principle and theory, but mischievous to the state in practice), it is, at least, an advantage to the king's government to have completely detected and publicly exposed the whole craft and mystery of the Ribbon conspiracy. And I cannot believe that such an exposure, accompanied by such convictions, sentences, and punishments, should neither assuage the zeal, nor abate the bravery of these covenanters, nor relax the holy bond of their illegal oaths, and treasonable contract.

But I request your attention to the suggestions which I have submitted, for the more effectual restraint of this system of mysterious engagements, formed under the solemnity of secret oaths, binding his majesty's liege subjects to act under authorities not known to the law, nor derived from the state, for purposes undefined; not disclosed in the first process of initiation; nor until the infatuated novice has been sworn to the vow of unlimited and lawless obedience.

The vigour and activity of the law should be exerted to extirpate this mischief, which has been a main cause of the disturbances and miseries of Ireland. The mystery is now distinctly exposed; I therefore anxiously hope and trust, that his majesty's government will add to the various benefits which they have already imparted to this country, the inestimable favour of abolishing by law, in Ireland, an evil, which has been abolished by law in England. I have, &c.

WELLESLEY.

P. S. In examining this despatch, I perceive, that although the necessity of continuing the Insurrection act, is repeatedly to be inferred from the tenor of the facts and observations stated, I have not directly recommended that measure; I request his majesty's government to understand, that I consider the renewal of the Insurrection act, for another year, to be indispensably requisite, not only for the preservation of tranquillity in Ireland, but for the success of all those plans of improvement which may be expected, ultimately, to render the Insurrection act unnecessary.—W.

HOUSE OF COMMONS.

Thursday, April 10.

NEGOTIATIONS RELATIVE TO SPAIN.] Colonel *Davies*, seeing the right hon. secretary for foreign affairs in his place, wished to ask him, whether, when he should on Monday next lay upon the table of the house certain documents, it was his intention to enter into a general statement of the foreign policy of the government? If he were right in supposing that that was the intention of the right hon. secretary, the members on his side of the House would be placed in this embarrassing situation, that they must either combat the statement of the right hon. secretary, without having had access to the documents upon which it would be founded, or allow it to go forth to the world uncontradicted. He thought the fairest course for ministers to pursue would be, to lay the documents on the table on Monday, and to fix upon some subsequent day for the statement which the right hon. secretary had promised to make.

Mr. Secretary *Canning* replied, that the hon. member was perfectly right in supposing that it was his intention, when he should on Monday next, in obedience to the commands of his majesty, lay certain documents on the table of the House, to state the general outline of the policy which the British government had pursued with respect to the late transactions on the continent. But far from thinking that he would by so doing place the house under any embarrassment, he was of opinion that he was adopting the course which would be most convenient. The present case was not one of an ordinary character. It was not a usual practice of government, to lay documents on the table of the House, upon which they did not intend to call for some proceeding; but, in the present instance, it was intended to depart from the customary usage. That, however, would not preclude any member from adopting what course he might think expedient with respect to the papers. In most cases in which documents relative to negotiations had been laid before parliament, the negotiations had terminated in a declaration of war; and, on all such occasions, government had availed itself of the opportunity of stating to parliament, what had been the course of policy which had led to the issuing of the declaration of war. The late negotiations, however, had not so terminated, and the statement which he intended to make was merely meant to supply the place of a declaration of the government. In what he should state on Monday, he should not anticipate any contested question, or call for any premature approbation of the conduct of ministers. He should deliver a plain unvarnished tale, and leave it open for any member either to contest the fidelity of his statement or to combat the policy of government. In the course which he proposed to pursue, there was a great convenience to the House, and particularly to the hon. members opposite, if they should desire to express their disapprobation of the conduct which had been pursued by the government.

FIRST FRUITS IN IRELAND.] Sir *John Newport* rose, in pursuance of notice, to bring forward his motion for levying in a more effectual manner, the First Fruits of the Clergy of Ireland. The right hon. baronet observed, that so long ago as 1808, he had brought this subject before the attention of the House, and the importance of it was every day becoming more manifest. It was well known, that the revenue arising from the first fruits of benefices in Ireland, was in the hands of trustees for the purchasing of glebes, and the building of glebe-houses for the clergy of Ireland; but that the revenue arising from this source was so small, that large sums were annually voted to supply its deficiencies. It would be necessary for him to give a short history of the origin of this fund, and of the cause of its present inadequate amount. The Annates, or first fruits, were, the whole first year's income of each ecclesiastical benefice, and, before the Reformation, were payable in Ireland, as in other countries, to the pope. By statutes of Henry 8th, when the papal rights in Ireland were extinguished, this revenue, together with the twentieths or yearly twelve-pence in the pound, payable also to the pope from every benefice, was taken into the hands of the Crown, and remained annexed to the Crown till the year 1710. In that year queen Anne, on the advice of the duke of Ormond, or of the lord treasurer Oxford (for the supposed merit of this measure was claimed for both of them), remitted the twentieths to the clergy, and gave the first fruits to form a fund for the building of churches and glebe-houses, and the purchasing of glebes for the clergy of Ireland, and the augmentation of livings, where, from impropriations, they were too small to afford comfort to the incumbents having cure of souls. The management of this fund was given to commissioners, who were, for the most part, the higher dignitaries of the church, with power to levy the revenue, and to search out the just and true value of the benefices of which they were to levy the first year's income from each incumbent who came into possession. The valuation under which this revenue was levied at the time when it was given to this fund, was made in the time of Henry 8th and Elizabeth, and was not only, of course, very low, but did not embrace more than two thirds of the benefices of Ireland. It was, of course, the duty of the commissioners to have promoted the salutary objects of the fund, and to have remedied the inaccuracies and supplied the defects of this valuation. But this had never been done, and, up to this day, the first fruits were levied according to that defective valuation; so that this revenue, which should properly be a whole year's income of all the livings which became vacant in each year in Ireland, had only produced, in the average of the last ten years, 292*l.* a-year. The sums which had been granted by parliament to supply the deficiencies of this fund were by no means so trifling; for in the 11 years ending 1818, nearly half a million had been voted in aid of this fund. The sum was 498,000*l.* or an average of more than 45,000*l.* a-year. If the House adopted the proposition which he should submit to them, the necessity would be done away for any such demands on the pockets of the people. His intention was, to call on the commissioners to do what the law not only authorised but required. Why the commissioners did not make this valuation was sufficiently manifest. They were themselves the holders and expectants of large preferments, and a just valuation would be a tax upon translations. A fair valuation of the Irish benefices, making an exception in favour of livings under 150*l.* a-year, would produce, he calculated, from 30 to 40,000*l.* a-year. In consequence of the deficiency of this fund and the want of residences for the clergy, those large unions of parishes had taken place, which kept the Protestants of Ireland from the sight of a clergyman, and were a main cause of the decay of the Protestant religion. There was one of these unions of six rectories and six vicarages, of which a survey had been taken in 1731; it then contained 64 Protestants and 1,630 Catholics: in 1818 the Protestants had decreased to five, and the Catholics increased to 2,400. Could the House too soon interfere to render the funds available which might put an end to these unions? In the returns to the queries sent to the prelates of Ireland in 1807 and 1819, there was some curious information respecting these unions. They had it stated by the bishop of Ossory, that there was a union of 10 or 13 parishes; for as to three of the districts it was uncertain whether they were town lands or parishes. It was stated, as an objection to the severing of this union, that it was charged with a debt of upwards of 2,000*l.* advanced by the commissioners for building a glebe-house, which would be beyond the means of a separate parish to maintain; so that the very bounty of parliament was made the cause of perpetuating the unions, which it was so much for the interest of the Protestant establishment in Ireland to dissever. Respecting this union, he had a letter from a respectable gentleman, who said "We are here 17 miles distant from our parish church, and Mr.—— lives in another part of the parish, just as far distant in another direction." The union was in fact 36 miles long from end to end; yet, on such a union as this, a glebe-house had been built, so as to be made an argument against dissevering it into benefices of reasonable extent. As it was the practice to attribute hostility to the church to those who made any remarks on the manner in which the revenues of the clergy were distributed, he should beg to quote the opinion of a person who could not be suspected of any such hostility—the earl of Dartmouth, secretary of state and lord privy seal, in the last years of queen Anne; from an edition of Burnet's History, with notes, by this earl of Dartmouth and others, lately published from the Clarendon press, "We hear" (said the earl) "much of the poverty of one part of the church, but we hear nothing of the great riches of the other. I know of no christian church that has a better provision for its clergy. If the revenues of the deans and chapters, which are of no more use to our church than those of abbots and monks, were divided among the poorer clergy, no other evil would arise than that the daughters of the bishops would be married with more difficulty, and would be portioned with smaller stipends. If the bishopricks, too, were brought nearer to a level in income, we should hear less of the scandal of commendams and translations. No doubt the legislature, in time, will see the necessity of putting the church, as to these particulars, upon a footing of more regularity."—The right hon. baronet concluded by moving the following resolutions:

1. "That the first fruits or annates, being the first year's income of every ecclesiastical dignity and benefice in Ireland, became at the Reformation, a part of the revenue of the Crown, as head of the church, and was regulated by the Irish statute of the 28th Henry 8th and continued annexed to the royal revenues until the year 1710.

2. "That her majesty queen Anne did then, as an act of grace and favour to the established church of Ireland, by letters patent confirmed by the authority of Parliament, vest in certain trustees and commissioners the produce of this branch of royal revenue, for the purposes of building and repairing Churches, for the purchase of glebes where wanting, and of impropriations wherever the benefice was not sufficient for the liberal maintenance of the clergy having cure of souls; and did at the same time absolutely release them from the payment of the twentieth parts, or twelve-pence in the pound, before paid annually to the Crown out of the income of all ecclesiastical benefices.

3. "That it appears, from returns laid before this House, that the gross amount of the first-fruit revenues thus vested in trust, and paid in to the commissioners, during ten years, ending in January 1821, amounted only to 3,752*l.*; and that the nett amount applicable to the purposes of the grant, after deduction of 827*l.* for salaries and incidental expenses, was only 2,925*l.*, averaging annually 292*l.*

4. "That the grants of Parliament for building new Churches and Glebe-houses, and the purchase of Glebes, in Ireland, during eleven years, ending in 1818, amounted to 498,000*l.*, being an annual average of 45,000*l.*, and that provision still continues to be made, by annual grants, for these salutary purposes, from the public revenues.

5. "That 467 of the dignities and benefices of Ireland, being nearly one third part of the whole, have never been rated or valued to the payment of the first fruits, as directed by the statute of Henry 8th; and that 336 benefices more, although rated, do not contribute thereto, on account of the very early period, and the low rates on which the valuation was effected: and that the whole of the archbishopricks, bishopricks, and other ecclesiastical dignities, are therein estimated as amounting to only 4,247*l.* yearly value.

6. "That the receipt and management of this revenue have been always reserved to, and continued in, officers appointed by the Crown; and that the duties thereof were, by letters patent, in the year 1812, entrusted to commissioners, with power, as therein specified, from time to time, to collect, levy, and receive, and to examine and search for the just and true value of all and singular the dignities and benefices of Ireland; but that no valuation appears to have been made under authority of this patent.

7. "That these resolutions be laid before his majesty, together with the humble representation of the House, that it appears just and equitable that this branch of royal revenue, liberally bestowed on the Church of Ireland for wise and salutary purposes, should be rendered efficacious for the attainment of the objects of royal bounty, without the necessity of annually increasing the public burthens by parliamentry grants; and that this House does therefore humbly pray, that his majesty may be pleased to authorize and direct the patentees of the Crown to proceed forthwith in the execution of such measures as may be deemed necessary to effect a just and true valuation of the several dignities and benefices of Ireland, and for rendering all such as shall be found to exceed the annual value of 150*l.* rateably contributory to the first-fruit fund, as vacancies in such dignities and benefices may hereafter take place, by regular instalments, during four years after the appointment thereto shall be made:"

Mr. *Goulburn* said, he should not oppose any measure which could put the Church of Ireland on a better footing; but the question now really before the House was, whether they should levy a tax to the amount of 30 or 40,000*l.* a year on the clergy of Ireland for a purpose in which every lay member of the establishment had as strong an interest as the clergy. He should contend, too, that from no fair construction of the first-fruits acts could it be inferred, that it was intended that the whole of a year's income of benefices should be levied as first fruits. He could not trace the origin of the annates up to any particular period; though they must have existed very early. The pope, however, who claimed the first fruits, had never exacted more than the half of them; and on various occasions, parliament had even resisted this claim, and had laid down the rule which was at present acted on. In the reigns of Edward 3rd, of Richard 1st, and several other sovereigns, parliament had complained of the demands of the pope, and declared them illegal and destitute of authority. In the reign of Henry 8th; a statute was enacted, laying down the very principles which he (Mr. G.) was now advocating. That statute empowered the king to compound for the annates, and when this composition was once accepted, it was to remain for ever the same and inviolable. The 23rd of Henry 8th empowered the king to levy a payment for that time, which was to remain uniform. He alluded, of course, to the Irish statutes; and the 28th of Henry 8th, to which the right hon. baronet had referred, gave no more to the king than the pope had before possessed: it was a mere transfer of his power, as head of the Church, to the Crown. If the right hon. baronet looked at the statute of the 3rd of Elizabeth, he would find that there were a number of livings exempted altogether from this charge; viz. all those rated above 6*l.* 13*s.* and this exemption was not conferred for any limited period, but for ever. The right hon. baronet could not have read with much attention the patent of queen Anne, when he said, that the first fruits were casual and uncertain. They were there stated to amount to between 4 and 500*l.* a year; and yet the right hon. baronet would have the House believe, that the patent of Anne contemplated a sum equal to what might at present be derivable from an actual valuation of the first fruits. From this and subsequent statutes, and from the whole tenor of the law, it was evident that first fruits were to be considered as fixed at that time, and were to remain unaltered. By the second of George 1st, confirming the patent of queen Anne, the same principles were recognized. The 10th of George 1st, alluding incidentally to the subject, confirmed this principle. According to all these statutes it was not possible to augment what was formerly fixed as the amount of the first fruits. Another statute, the 9th of George 2nd, required that payment should be the same as the original sum. When Henry 8th regulated the subject, he claimed no more; and queen Anne gave no more than this average estimated value. In all subsequent statutes the same low rates were recognised as were originally paid. From these observations he trusted the House would not think the conclusions of the right hon. baronet correct, nor be disposed to adopt the course recommended by him. It was a principle of all these laws, that when the valuation was once made it should remain unchanged. There was, in fact, no instance of a benefice having been subjected to a second valuation. The commission which had been appointed was not to re-value livings formerly valued; but it was in its operations confined to livings which never had been valued. In the reign of James 1st, when a settlement took place in Ulster, a great quantity of land in addition was given to the clergy; and the commission which was then appointed was confined to estimate the value of the land which had been conferred on the clergy by the royal bounty. It took no notice of the land before possessed by the clergy. Viewing the subject under this light, it was impossible for him to accede to the motion of the right hon. baronet. His arguments were all founded in one leading error, namely, that the first fruits were to be considered as one year's revenue of the living, whatever sum that might amount to. The whole tenor of the laws contradicted this view of the matter, and therefore he should move the previous question on all the resolutions.

Sir *J. Newport* shortly replied, observing particularly upon the reluctance of the Church, not only to contribute their share to the support of the general burthens, but even to the maintenance of their own poorer clergy.

The previous question being put on the first resolution, the House divided: Ayes 39. Noes 49. Majority against the resolution 9.

CROWN DEBTORS — CONTEMPT OF COURT.] Mr. *Hume* rose to move for two returns connected with Crown prisoners: the first, a return of the number of persons now confined as Crown debtors, distinguishing the amounts of their debts, and the terms during which they had been imprisoned; the second, a return of the number of persons confined in the Fleet prison for contempt of Court; specifying whether for offence against the Court of Chancery, and Exchequer, or against any and what civil or ecclesiastical court; and an account of all persons who had died in prison under confinement for contempt of Court, between July, 1820, and the present time. In moving for these papers the hon. member said, he only moved for the continuation of documents which, up to the years 1819 and 1820, were already before the House. By the return of crown debtors, furnished in 1819, it appeared, that at that time, more than 200 persons were confined for debts due to the Crown, principally upon claims on the part of the board of Excise. By the return of prisoners for contempt produced in the year 1820, it would be found that at that period, 31 individuals were in confinement; some of them having been seven, fourteen, and one so long as thirty-one years in prison. He could not but consider the whole law regarding crown prisoners as most harsh and unequitable. He saw no reason why a man, indebted upon a claim from the Excise, or upon any claim arising with the government, should not have the same relief open to him which he might resort to against a private debtor. As the law stood, men were subject to, and endured, imprisonment for years, under penalties or security bonds as low as 25*l.* The punishment so inflicted upon a man for being poor was unreasonably severe, and the source to which he must look for any remission of that punishment was the last in which, fairly, that power of remission ought to be vested. At present, the degree of imprisonment which a crown debtor had to endure depended upon the degree of favour which, in the proper quarter, he could command. It would be infinitely better if the liberation of crown debtors was to rest solely within the will of government, that the scale of punishment should be definitely declared, and that it should be fully understood, when a man was sentenced to a fine, for how much imprisonment that fine (in case of inability to pay it) might be commuted.— After urging the policy of putting debtors to the Crown, as to all points of advantages, upon the ssme footing with private debtors, the hon. member proceeded to the point of imprisonments for contempt of court. The power of committal for contempt, as it stood at the present day, was a power unfit to be held by the lord chancellor, or by any judge in England. Instances would be found, upon papers already before the House, of no less than twenty persons having died within a few years, under sentence for contempt, after fourteen, twenty, and, some, thirty years' imprisonment. One individual had died in 1820, who had been in prison ever since 1789, for refusing to pay a sum of 400*l.* No doubt offences against the authority of a court, or failures in the respect due to it, ought to be punished; but not by imprisonment for thirty years, or for life. The power of committal, too, ought not to rest solely with the judge. For every other offence which a man might be guilty of, he was entitled to have the question of his innocence or guilt, tried by a jury of his country; and why should it not be so in cases of alleged contempt? Why was a man who happened to displease the lord chancellor to be put out of the pale of those laws and principles to which, under any other circumstance of difficulty, he would look confidently for protection?

The *Solicitor General* thought the hon. member was incorrect in his view of the law as it existed. All persons confined for non-payment of money pursuant to an order of court, were already entitled to their discharge under the insolvent act. Persons who remained in prison for contempts of court, were commonly persons who refused to do some act, within their power, which the court had ordered them to do: For instance, a case came before the lord-chancellor.—Upon investigation, it was decided that one of the parties ought to do a particular act; such as the execution of a deed or instrument. Under such circumstances (and the case was a case of every day), the court had no power to compel the execution of the deed or instrument in question: all it could do, was, to imprison for refusal. To deprive the court of the power to imprison was, in effect, to nullify its jurisdiction; and surely the party suffering had no right to complain of a confinement to which he could put an end when he thought proper. As for cases of persons committed for disrespect to a court, it could not but be within the knowledge of the hon. member, that such individuals were always, after a reasonable infliction of imprisonment; liberated upon their apology and submission. With respect to putting crown debtors generally upon the same footing with debtors to private individuals, the thing was impracticable. The great mass of crown debtors consisted of persons confined for non-payment of penalties which they had incurred by violations of the law —chiefly by offences against the Excise laws. Now, the enabling such persons to get their liberation under the insolvent act, would absolutely destroy the revenue of the country. Every man of desperate fortune would at once strike into the illicit trade; sure of enormous gains if he escaped detection, and quit, at the worst, for a term of three months' imprisonment. Besides, the situations of the crown debtor and of the private debtor were not alike. One of the main arguments for liberating a man from imprisonment, at the suit of a private individual, was the possible existence of irritation or vindictive feeling on the part of the creditor. On the part of government, there could be no such feeling; and the general practice of the Lords of the Treasury, with respect to petitions addressed to them for liberation, would be the best answer to any charge like severity towards debtors who were liable to the Crown.

Mr. Secretary *Peel* begged to disclaim any idea, of apportioning certain quantities of imprisonment to the liquidation of certain penalties. The lenity of the Crown would always be freely dispensed, but it could be dispensed only with a due regard to the circumstances of particular cases. Some portion of imprisonment, where a fine was not paid, became absolutely necessary; because, if fines were not exacted, they would of course cease to be paid altogether.

Dr. *Lushington* thought the present course, where persons refused to obey an order of court, inconvenient and ineffective. It frequently happened, that a man, under sentence for contempt, spent his money in prison, defrauding the party who was entitled to it. He thought it would be better where a man refused to execute any deed or settlement, that the judge should have power to execute it in his name.

Mr. *Ricardo* objected to the imposition of a fine by a judge, afterwards to be remitted by a secretary of state. A judge might as well pass but one sentence—say death —for all crimes, and leave the government to inflict the quantity of chastisement it thought fit. The judge who tried the case was the fit person to decide what penalty the offender should endure.

The motions were agreed to.

HOUSE OF COMMONS.

Friday, April 11.

Riots in the Dublin Theatre—Petition of the Grand Jury, complaining of Imputations on their Conduct.] Mr. *Wetherell* said, he had been requested to present a petition from the Grand Jury of the city of Dublin, in the absence of the members for that city, one of whom was attending his duties in Ireland. He had only yesterday received a letter requesting him to present the petition. There would not have been time to write to Dublin, and to receive an answer before Tuesday next, which was the day appointed for the motion of the hon. member for Armagh (Mr. Brownlow), otherwise he should have felt it is duty to inform the parties from whom he had received the petition, that he could do no more than merely present it to the House. The conduct of the grand jury to which the petition referred would form a distinct part of the debate on Tuesday next; and therefore he should be unwilling to anticipate the discussion upon that subject. The petition having, however, been placed in his hands for presentation, it would have been uncourteous on his part to refuse to bring it under the notice of the House, although he would not pledge himself to any particular line of conduct hereafter. The petition complained of some observations which had been made by the attorney-general for Ireland upon the conduct of the grand jury of Dublin, after they had thrown out the bills which that learned gentleman had preferred against the rioters in the Dublin theatre.

The petition was brought up, and read, as follows:

"To the Right Honourable and Honourable the Knights, Citizens, and Burgesses, of the United Kingdom of Great Britain and Ireland, in Parliament assembled.

"The Petition of the Grand Jury of the County of the City of Dublin, at a Commission of Oyer, and Terminer, held at Green-street, on the 1st of January, 1823;

"Humbly Sheweth—That your petitioners having been impanelled and sworn on the 1st day of January last, were charged by Mr. Justice Moore, the senior and presiding judge at the commission, and were by him apprised, that in the course of their official duties bills of indictments would be preferred to them against persons charged with having participated in the Riots which were alleged to have occurred at the Theatre Royal on the 14th of December, 1822, in the presence of his excellency the lord-lieutenant. That his lordship did most particularly impress on your petitioners the imperious necessity of confining their attention to the evidence that should be submitted to them, and discharging from their minds any impression which they might previously have received from the public rumour. That bills of indictment were on the 1st day of the commission preferred to your petitioners against ten persons, by which they were charged with a conspiracy to riot, and assault, and insult his excellency the lord-lieutenant, at the theatre royal, and by which they were also charged with having committed a riot in his excellency's presence.

"That, in support of those indictments, a great number of witnesses were sent to your petitioners, who, not being able to close the said examination on the 1st, adjourned to the 2nd of January, when, after examining other witnesses, and deliberating on the evidence, they ignored the bills for a conspiracy against all the parties, and ignored the bill for a riot against all of them, except George Graham and Henry Handwich, as to whom they found the bill.

"That your petitioners are informed, and will be able to prove, that as soon as the proceedings were communicated to his majesty's attorney-general, who was then in court, and engaged in an important prosecution, he rose and addressed the bench, in substance, as follows:—'My Lords—Upon a case the most interesting that ever occurred in this country, two bills of indictment have been sent up to the grand jury of the city of Dublin against five persons; one set of bills charging a conspiracy to cause a riot at the theatre, in which the person of the lord-lieutenant was outraged and insulted, the other bills charging a riot generally. Upon the first indictment the grand jury of the city of Dublin have ignored the bills against all parties. Upon the second indictment they have found a riot committed, implicating two of the persons in the indictment, Graham, and one of the Handwiches; it is needless to observe to the court, that according to the technicalities of our law, a riot cannot be committed by only two persons; had even the bills been found for a riot only against all the parties, I would have then felt it to be my duty to adopt the line of conduct I am about to intimate in the presence of the court. I will not arrogate to myself the office of arraigning the grand jury of the city of Dublin; they have discharged their functions in the presence of their God; under the sanction of a solemn oath, taken in the face of their country; to that God alone are they accountable. But I have also a duty to perform—I will, without anticipating the guilt of any individual, state solemnly, in the presence of this crowded audience, that in all my readings—in all my experience—in all the annals of this unfortunate country—I never did find a case so fully demonstrated, of the foulest conspiracy to riot, of so much atrocity, as scarcely to be heightened by the aggravation, that that ill-avowed object was to insult and outrage the representative of the king's majesty in the public theatre. I will exercise the prerogative that the law and constitution have given to my office; I will discharge that duty honestly, and with the blessing of God, fearlessly, unintimidated by that gang which have formed themselves into a faction to beard the king's government, to overturn the laws of the country, and even to insult and outrage the very person of the king's representative in Ireland, and pursuing the course of outrage and violence from the hostility that they had taken up against that venerated nobleman, for zeal and firmness in carrying into effect the king's intentions towards Ireland, of allaying the dissention, and healing the wounds that have afflicted this unhappy country. The course of conduct that my duty directs me to pursue, will be in the execution of the prerogative annexed to my office, to file *ex officio* informations, and speedily to bring before the country all the parties charged in these indictments.'

"That the petitioners were not present at the delivery of the Address, nor were they until Saturday, the 4th of January, able to satisfy themselves that the above statement of it was substantially correct.

"That they heard that one of the learned judges had, on Friday, the 3rd, expressed surprise at their decision, and they felt that it no longer became them to remain silent, and that they owed it to themselves as individuals, and as a body, engaged in the administration of justice under the sacred obligation of their oaths, to remonstrate against imputations, the severity of which they felt the more keenly, as well because they seemed sanctioned by high authority, as because they were precluded from the power of refuting them.

"That the petitioners, though fully satisfied that the language of the attorney-general was calculated to impress every one who heard it with the conviction that he intended to impute to them, not an error of judgment, but a violation of their oaths, did yet believe it possible that there was some mistake in the Report of his observations, and they, therefore, determined to address the court in terms of remonstrance, which, at the same time that they should unequivocally repel the charge of corruption, should leave room for explanation, and enable the attorney-general to do them the justice of withdrawing the heavy charge which his address, as reported, was manifestly calculated to convey.

"That, under the influence of those feelings, they on Monday the 6th of Jan. addressed the court by their foreman in the following words:—

"'My lords;—We the commission, grand jury of Oyer and Terminer of the county of the city of Dublin, have learned with deep regret, that the discharge of our official duties with respect to certain bills of indictment has been made a subject of animadversion by his majesty's attorney-general, and has been pronounced by this high court to have been a matter of surprise; we hope, that neither the court, nor, with its sanction, his majesty's first law officer, intended to convey an imputation that our judgment was influenced by fear, favour, or affection. A charge of such a nature, without adverting to the enormity of the crime which it would impute, would be essentially unjust, for our oath of secrecy which forbids the disclosure of the grounds of our judgment, would render the vindication of that judgment, and if necessary the satisfactory refutation of such a charge, impossible. It must be recollected, that to us exclusively is the evidence known on which our judgment was founded, and they therefore trust, that this high court will receive the declaration which we now solemnly and unanimously make, that our decision was the result of a laborious scrutiny of the evidence, of a conscientious consideration of its weight, and of a sincere anxiety to adhere to the direction of the learned judge, who so fully and clearly detailed to us the nature of our duties, and the principles by which we were bound to be regulated in discharging them.'

"That the presiding judge, Mr. Justice Moore, having been pleased to express his approbation of the manner and substance of their remonstrance, and to declare, that, as far as related to what had fallen from the Bench, the language of the court had been grossly misrepresented, your petitioners feel themselves no longer entitled to impute to his lordship any intention of censuring their conduct.

"That this remonstrance, thus publicly made in open court, has, as your petitioners believe, been communicated to his majesty's attorney-general, whose omission to notice or reply to it, induces them to conclude that the charge intimated by his observations is persisted in: and, under the circumstances, your petitioners are advised that a petition to parliament is the only course by which they can constitutionally obtain any sort of redress. They do, therefore, humbly submit, that the address of his majesty's attorney-general, though it professes not to arraign, does, in fact and in substance, arraign your petitioners; that it does most distinctly declare, that the case was one in which the foulest conspiracy had been fully demonstrated; that these unwarrantable reflections of his majesty's attorney-general press with the greatest severity and weight on your petitioners, because by the law of the land they are deprived of the means of demonstrating their injustice; bound by the solemn obligation of an oath to the observance of secresy, they are not at liberty to divulge the nature of the evidence they have heard, or the reasons of the judgment they have pronounced. That the address of the attorney-general, in addition to the general charge of corruption against your petitioners, contained an insinuation that they had found bills for a riot against two only of the prisoners indicted, with a knowledge that by the rules of law such finding would be abortive, and with a criminal design of defeating any further proceedings thereon.

But your petitioners not only solemnly deny the justice of such an imputation, but utterly disclaimed that knowledge of the law which it supposes, and have since found upon inquiry, that the technical difficulty suggested by the attorney-general, presented no obstacle to the prosecution of two persons, against whom the bills were found, and that the Crown might have proceeded to trial, and obtained judgment against them, although the bills preferred against the others had been ignored. That your petitioners having no other mode or means of redress, have at length reluctantly been compelled as an act of duty not only to themselves, their feelings, and their characters, but to the free and due administration of public justice, to submit the consideration of their case to the wisdom of your honourable House, in full reliance that whatever shall be deemed necessary or expedient, to prevent the recurrence of such an evil in future, will be adopted and applied. And your petitioners will ever pray. For and on behalf of self and fellow-jurors,

(Signed) "George Whiteford.
"Dublin, 7th of April, 1823."

Mr. *Plunkett* said, he could not, in justice to his own character, allow the allegations of the petition to pass without observation. The petition contained a statement which was calculated to produce an impression upon that House, that he, in the discharge of his duty as a public functionary, had imputed corrupt motives to the grand jury. It might, perhaps, be sufficient for him to leave that part of the charge against him, to the consideration of those who had heard the words imputed to him in the petition itself; for he was sure, that all who heard them must see that they conveyed no such meaning as that which the petitioners had ascribed to them. He would very shortly state the facts to the House, as they had really occurred. An indictment was presented to the grand jury for a conspiracy to cause a riot at the theatre, by which the person of the lord lieutenant was outraged and insulted; that indictment, the grand jury, acting upon their oaths, did not find. Other indictments were then presented to them for a riot and assault generally. These indictments contained two counts: the grand jury refused to find bills on the first count, but found them on the second, in such a manner, however, as to render their finding totally inoperative. When the grand jury returned with that finding, he happened to be in court; and the statement made in the petition was, that his filing *ex officio* informations against the different parties arose from a hasty and resentful spirit excited by that finding, and not from that cautious deliberation which he ought to have used in the conscientious discharge of his public duty. He felt it due to his own character, to give to that statement the most unqualified contradiction. The bills of indictment were sent up to the grand jury on the 1st of January. The grand jury separated on that day without coming to any determination upon them. On the evening of the same day he was made acquainted with that fact. He was likewise informed by the solicitor of the Crown, that the witnesses, from the manner in which they had been treated in their examinations by the grand jury, were almost unanimously of opinion that no bill would be found. He was at the same time informed of several other facts which he had never yet stated, and which he would not be induced to state, even on the present occasion. Those facts were, however, of such a nature as to lead both himself, the solicitor-general, and another gentleman of the bar, of the name of Townsend, to whom they were submitted, to this conclusion—that, both on account of the jury itself, and of the manner in which it had been empanelled, it would, in all probability, become their duty to file criminal informations against the individuals whom they had, in the first instance, endeavoured to punish by means of indictments. It had been said, that, in filing these informations, he had not so much consulted his public duty as he had given way to party feelings. He trusted that those who had observed the course of his public life would believe that he was incapable of prostituting to party purposes the powers which he had received, and was sworn to exercise, for the benefit of the whole community. He thought it right, however, to state, that the solicitor-general, who concurred with him in every step which had been taken to enforce the law against the violators of the public peace, differed diametrically from him on that which was commonly called the Catholic question. But, to return: on the grand jury coming into court, he certainly had risen, and expressed himself in terms similar to those stated in the petition. He had said, that "he would not arrogate to himself the office of arraigning the conduct of the grand jury; they had discharged their functions in the presence of their God, under the sanction of a solemn oath, taken in the face of their country; and that to that God they were alone accountable." He had likewise added, "that he, too, had a duty to perform, and that in the performance of it he would exercise honestly and fearlessly, the prerogative that the law and constitution had given to his office." In order to show that he had acted most fairly towards the grand jury, in making that statement, he would beg leave to read to the House an extract of what he had said to the petty jury, when the trial afterwards came on; but before he did so, he would inform the House, that the grand jury, on a subsequent day, when he was not present, went into court and addressed the judge. They stated to him, that they had heard that he (Mr. P.) had imputed improper motives to them; and they complained that he had not sent them any apology for having made what they called so groundless an imputation. He would not stop to examine whether he was called upon to make such apology, or whether it would have been consistent for him, exercising, as he did, the high functions of public prosecutor, to have stooped to such a measure. He would merely say, that the grand jury had not acted fairly towards him, in giving only a partial account of the judge's reply to their application. In common justice, if they stated any part of it, they ought to have stated the whole; but, instead of doing so, they had suppressed that part of it in which the learned judge had told them, that though he (Mr. P.) had expressed much surprise, he had expressed no censure at their finding; and that in what had been communicated to them, he had been most shamefully represented. The language which he had used before the petty jury at the trial, clearly proved that point; for in the speech to which he had before alluded, he had used the following expressions:—"In the proceeding which I have thought it my duty to institute, though I have been governed by my strong impression that public justice has not been effected, I do not involve in this conclusion any imputation on the sheriff, who returned the grand jury; still less on the grand jury themselves, who have acted on their oaths in throwing out those bills. For the purposes of the present trial, whatever opinions I may entertain on that subject, I have no right to advert to them. The sheriff who returned that grand jury is not on his trial, and it would be gross injustice to arraign his conduct when he cannot defend it. The grand jury are not on their trials, and it would be injustice equally gross to make a charge against them, where they can have no opportunity of vindicating themselves: a time may come, and an occasion may arise, in which these considerations may be proper and necessary; and most certainly I will not, in that event, be found wanting in the discharge of any duty, however painful, which may devolve on me. But, in the meantime, and with reference to the present proceeding, I wish distinctly to be understood as disclaiming all imputations upon either. I am ready to suppose, for the purposes of this trial, that if the parties and the cause were the exact reverse of what they now are; that if it had been the pleasure of the government to direct, that the statue of king William should be dressed on the 4th of November, and a body of Roman Catholics, feeling themselves insulted, had risen against the law and the magistracy, and had flung a bottle or other missile at the lord-lieutenant's head, and these facts had been before the grand jury, they would have ignored the bills; as, so help me God, I would, under the same circumstances, had I remained the king's attorney-general, have filed my information *ex officio.* I claim only for myself equal credit for the purity of my motives, and the fair discharge of my sworn duty." Under such circumstances, he begged to ask hon. members, whether they thought him open to the imputation of using the license which his situation gave him to censure a jury for acting upon improper motives?—There was another topic on which he wished to make an observation. In exercising his discretion, with respect to the filing of the *ex officio* informations after the bills had been thrown out, he must confess that the conduct of the grand jury had formed one of the principal ingredients. But, when he stated that it was his intention to file those informations, he felt that he should not be justified in stating that their conduct had had any influence upon his determination, because they were in a situation to defend themselves against such a charge. But now, when this grand jury came forward with a charge against him, which rendered it necessary for him to examine and discuss their conduct, he must animadvert upon it, not so much with a view of attacking them, as of defending himself against an unjust accusation. He was not to remain unarmed and undefended, when they were using every effort to hurt and to injure him: his lips were not to be closed, when they were uttering all kinds of charges and accusations against him. Whatever doubt he had entertained before, regarding the line of conduct which he should pursue, was entirely dissipated by the petition which had just been presented. He had no hesitation in now declaring to the country and the world, that it was the conduct of the grand jury, along with some facts respecting them which had come to his knowledge, that had induced him to file the informations complained of. What those facts were he had not yet stated: he would not state them at that moment, nor indeed at any time; unless an opportunity should be granted him of having them fully verified. He could not help saying, that all along, and even at the present moment, he had been most unfairly dealt with by the grand jury. Instead of bringing forward a charge against him in specific terms, or in such a manner as would have enabled him to meet it directly, and instead of intrusting their petition to a gentleman who was acquainted with all the facts of the case, they had put it into the hands of an hon. and learned friend of his, who knew nothing of the matter, but who, in pursuance of his duty, had presented it to the House, and had presented it in a very proper and guarded manner. If redress were their object, why did not they complain of some specific wrong? Why did not they intrust their petition to some gentleman who could have stated the injury they had suffered, and have pointed out the satisfaction which they wished to receive? He well knew that the petitioners did not seek for redress in presenting this petition: their object was to lay it on the table of the House as a makeweight to the charges which the hon. member for Armagh had already brought against him. They knew that he must either remain silent under the allegations which the petition contained, which would be equivalent to a confession of their truth, or anticipate the defence which he should have to make on Tuesday next, which would be an incalculable advantage to the accusing party. In such a situation, he had determined to state his opinion boldly at once regarding the grand jury; and, if they thought themselves unfairly treated by it, they ought to recollect, that he had not volunteered the statement, but had been compelled to make it by the gross attack which they had first of all made upon him.—The right hon. gentleman then sat down, but immediately rose again, to describe the technicality which had rendered it impossible for him to follow up the finding of the grand jury upon the second indictment presented to them. That indictment contained two counts; the first was for a riot and assault on the person of the lord lieutenant, which would have enabled them to have found the riot, and negatived the assault, and *vice versa;* and the second was for a riot generally. In the first count, it was charged that the defendants, *cum multis aliis*, had committed the riot and assault; and in the second it was charged, that they had committed it with each other, leaving out the *cum multis aliis*. It was on this second count that the grand jury had found the defendants guilty; but as they had not found them guilty *cum multis aliis*, and as two persons could not in law be guilty of a riot, their finding prevented any future proceedings from taking place.

The petition was laid upon the table, and ordered to be printed.

MILITARY AND NAVAL PENSIONS BILL.] On the order of the day for going into a committee on this bill,

The *Chancellor of the Exchequer* said, he did not think it necessary on the present occasion to argue over again, the policy of the arrangement which had been made for apportioning the burthen occasioned by the naval and military pensions, and also by the civil superannuations. He deemed it, however, to be necessary to say a few words, regarding the arrangement which had been made on the recent bargain with the Bank. It would not have been necessary to trouble the House at all upon this occasion, had it not been for the imperfect manner in which the act of last session was worded. The words used seemed to exclude the trustees from making a bargain for a longer period than one year; whereas, the meaning of them was, that a larger sum of money should not be brought into the

Exchequer than was sufficient for the service of one year. In consequence of this oversight, it had become necessary to call upon the House to amend the act and to ratify the agreement with the Bank. That agreement was to last five years and a quarter, and was to conclude on the 5th of July, 1828. The basis on which it was formed, was an agreement to take the long annuities at the price on which they were on the 1st of March, the day on which they closed. On that day, an annuity of 1*l.* for 36 years and three quarters, was worth 18*l.* 17*s.* 9*d.*; and the calculation was, that the interest on that sum was the same as 4*l.* 2*s.* 1*d.* per cent. The total sum which the Bank would have to advance in the 5¼ years amounted to 13,089,419*l.* But as it was not to be advanced at once, but by instalments, it was calculated to be the same as if the Bank advanced at once 11,883,194*l.* If that sum had been advanced at once, then the permanent interest would have been 487,700*l.*; but as the plan was to give an annuity for 44 years at the same rate of interest, it would amount to 585,740*l.*; and on that arrangement had the treaty been concluded. That arrangement had been made for one year, and it might have remained open from year to year, and so on; but it appeared to the trustees, that if they could make the bargain upon fair and equitable terms, it would be advisable for them to make it for a longer period, because it might happen, in the course of public events, that before five years and a quarter had elapsed, they might not be able to obtain such good terms as 4*l.* 2*s.* 1*d.* per cent. It was upon that principle they had made the present arrangement; and he conceived it to be as fair an arrangement as could possibly be made. The right hon. gentleman then concluded by moving, "That the Speaker do now leave the chair."

Mr. *Grenfell* said, it would be in the recollection of the House, that on the first appearance of this bill, he had given notice that he would propose its rejection, and would take the sense of the House upon it. He now rose in pursuance of his promise to move, that the House do resolve itself into a committee on this bill upon that day six months. He was not prepared to quarrel with the terms of the arrangement; but he would say, that the right hon. gentleman was not justified in making such an arrangement with any public body whatsoever for more than one year; for, though the terms were advantageous to the public according to the present price of stocks, they might be still more so in the course of next year. Neither was he prepared to quarrel with the Bank for having accepted them; for as they had been voluntarily offered to the Bank, it could not be said that the Bank had done wrong in accepting them. He quarrelled, however, with the bill altogether; and would shortly explain the grounds upon which he did so. It might be in the recollection of the House, that a great difference of opinion had existed in it last year, when this arrangement was first proposed. At that time he was one of those who had supported the bill which contained it, on the ground that it would immediately lead to a remission of 2,000,000*l.* of direct taxation. There was, however, one point in the bill in which all persons agreed; and that was, that that mode of carrying the arrangement into effect ought to be adopted which was the most simple in its plan, and the least onerous to the public in its execution. Now, he would contend, that another mode might be adopted, that would be more advantageous to the public than that which parliament was now called upon to ratify. Hon. gentlemen might perhaps recollect that last year he had proposed the introduction of a clause precisely similar, in its nature and object, to that which Mr. Fox had proposed in 1786, by which the commissioners of the sinking fund were allowed to be loan contractors to a certain amount. It was unnecessary for him to state, that this arrangement was in every respect a loan. The only difference between it and an ordinary loan was, that money, in the one case, was raised by a permanent annuity of 3 per cent; and that it was now proposed to raise it by a long annuity of 44 years. He had been of opinion, that when the government failed last year in carrying their arrangement into effect through the agency of the South Sea Company, and of the Bank, it had adopted his clause; and he now maintained, that if they had acted upon his clause, they would have acted more advantageously for the public. Could any man dispute that it would be more advantageous to the public to take this money from the sinking fund than from the Bank? The Bank evidently would not enter into the bargain, unless it expected to derive a considerable profit from it: and the advantage of carrying on the transaction through the commissioners of the sinking-fund would be just equivalent to the gain made by the Bank. The ground, therefore, on which he opposed this bill was, that it deprived the public of the profit, which it gave to the Bank. There was another reason why he objected to this bill. If they passed it, they would depart, for the first time since the year 1694, from a principle which had then been laid down, that the Bank of England was not to be a dealer in the public funds. But this bill enabled the Bank, not merely to purchase, but also to sell annuities, and authorized it to become not merely a seller, but even a jobber and speculator in public securities. It was for the House to consider whether that reason alone was not sufficient to authorize them to throw out this bill. He thought it was; and should certainly take the sense of the House upon his motion.

Mr. *Haldimand* supported the amendment, and contended that the measure was a mere delusion, intended to throw dust in the eyes of two classes of persons—those who desired a reduction of taxation, and those who wished to support public credit by means of a sinking fund.

Sir *F. Blake* expressed his surprise, that the present chancellor of the exchequer should have adopted this ricketty, ill-formed bantling of his predecessor. He would oppose the measure, because it militated against the chancellor of the exchequer's own principle, of not having any sinking fund, but what arose from surplus revenue. It was nothing but a legerdemain trick, to give with one hand and take away with the other. It was called the dead-weight bill; and indeed, it would be found a dead weight, to clog the wheels of government. It was

> " a monster of such frightful mien,
> " That to be hated, needs but to be seen."

Though he wished the debt to be got rid of, he wished it to be known as his opinion, that the public creditor had as good a right, not only to the interest of the money he had lent, but also to the principal, as any private creditor who had lent money on a mortgage.

Mr. *Hume* said, he should like to know whether the chancellor of the exchequer had at all considered in what situation the public was likely to be at the termination of this annuity transaction? He had expected the right hon. gentleman to take some pains to show that, at the end of the 44 years, the nation would be benefitted in some way or other. He (Mr. H.) insisted, that the plan could at no time be advantageous. In the first place, he wished to ask how it happened that the right hon. gentleman had given his sanction to the Bank of England becoming stock-jobbers, when it had hitherto been prevented in every charter, excepting as far as related to certain exchequer bills. As the matter now stood, the Bank could at any time go into the market, and at its pleasure raise or depress the funds, one, two, or three per cent, to the utter ruin of private individuals. It was to be remembered also, that at the time the charter was granted, the disposition to speculate was trifling compared with what it was at the present time. He had asked the former chancellor of the exchequer, whether he intended the annuities should be sold in the public market by competition? The answer was, that it was not intended that the commissioners of the sinking fund should buy them; but that they should be openly disposed of to the best bidder. He accused the present chancellor of the exchequer, therefore, of a breach of faith in this respect. He had deviated from the practice of all the governments for the last thirty years; for the present was the only instance in which a loan had been made a private job. As far as regarded the public, he insisted that the bargain was most improvident. The right hon. gentleman ought to have looked to the result at the end of 44 years, and he would, perhaps, have made this discovery. The right hon. gentleman said, that the amount would be equal to the present payment of 11,883,000*l.*; but he (Mr. H.) would be glad to know how he arrived at that conclusion. He contended, that on the 10th of October, 1828, when this contract with the Bank would terminate, the amount of money paid would be 11,247,000*l.* The chancellor of the exchequer ought to have asked himself this question—" What am I to do with this money?" He did not want it to relieve taxation; and he was bound to tell the House what he meant to do with it. He (Mr. H.) would endeavour to supply some part of what the right hon. gentleman should have stated. If he invested the money in 3 per cent capital, he would be able to buy a perpetual annuity of 449,000*l.*, instead of which the right hon. gentleman had agreed to pay 585,000*l.*, or 136,000*l.* too much, for thirty-eight years and a half, which, at compound interest, would amount to 12,000,000*l.*, and would produce a dividend of more than 500,000*l.* Thus, instead of relieving the country, a heavy and perpetual loss was incurred. He pledged himself, that the result would be most calamitous to the country, in case of a rise in the funds during the five years. He begged to be informed, also, why the right hon. gentleman had made the engagement for so long a period; or even if it must be made for five years, why he had not gone publicly into the market? If he had sold an annuity of 97,500*l.* at the price he had stated, he might have raised 2,187,000*l.*, the sum wanted for the first year. The public, according to the arrangement now entered into, would lose no less than one million and a half sterling, provided the funds kept up at their present elevation; and there seemed no probability of a decline below 75, upon the reasonable anticipation that peace would be preserved. Had the right hon. gentleman looked at what the long annuities had opened at? They had opened at 19*l.* 3*s.* 9*d.*; yet the Bank was only to give 18*l.* 17*s.* 9*d.* The difference was all clear profit to that establishment. If the right hon. gentleman were at this moment to go openly into the market, he would be able to raise a much larger sum than he had obtained at present, and upon the same terms. He strongly expressed his hope, that the House would reject the plan as impolitic for the country, and unjust towards the public. He called upon all those who professed the slightest regard for economy, to put an end to a system, at once so ruinous and absurd.

Mr. *Maberly* said, he had expected, but in vain, to hear of some bonus and great advantage to result from the measure, from allowing all at once the Bank to become a purchaser of stock. He did think some good reason should be given for departing from this long established principle.

The *Chancellor of the Exchequer* said, that public competition had been invited and nobody had bid, neither corporations nor individuals. It was only when this attempt had failed that recourse was had to the Bank. There was no reason to suppose that if an offer had been publicly made this year, that it would have been accepted. The transaction was not a job: it had been openly and fairly conducted.

Mr. *Baring* objected to giving to the Bank the power of stock-jobbing. He complained that the whole transaction was unintelligible, and that great loss would result to the country therefrom. Setting aside the absurdity of the measure, he believed it was a bad bargain, and intended to deceive two classes of persons. The very fact stated by the chancellor of the exchequer, that nobody would bid for the annuities, was a proof of its absurdity. There was no want of capital in the country; there was in fact a great abundance of money; and when the offer of the chancellor found no bidders, it was a proof that his plan was a bad one. He had hoped that the candour which distinguished the right hon. gentleman would have induced him to yield to the general feeling which prevailed on this subject. The effect of the measure would be, to erect the Bank into a company of stockjobbers, and though he was not prepared to say that circumstances might not exist in which it might be expedient for the Bank to become purchasers of the public securities, yet he thought such a measure ought not to be resorted to without the strongest necessity. Another objection to this measure was, the time at which the government had made the bargain with the Bank. The three per cents were a short time ago, up at 83, but they had subsequently fallen to 73, from the probability of this country being involved in a war; and it was at the period of their lowest depression that the right hon. gentleman had thought proper to make his bargain with the Bank. Nor had the right hon. gentleman contented himself with merely making the bargain for the year; but, to show that the plan was perfectly feasible, and that it involved no bubble or delusion, he had made the contract for five years. The conduct of the government was equally improvident and ridiculous, whether we were likely to be embarked in a war or not. If we were not likely to go to war, there was every reason to suppose that the funds would recover, and the time for making the bargain was most improvidently chosen. If, on the other hand, this country were likely to be involved in the contest, then we were encumbering with this vast operation, the very institution to whose efforts we should look for the means of carrying on the war. In every point of view he could not but regard this measure as the most unwise, and even the most ridiculous that had ever been presented to the House.

Mr. *Huskisson* said, the observations of the hon. member might have been applied well enough, in point of time, either to the principle of the measure when it was originated by the late chancellor of the exchequer, or to the discussions on the sinking fund which had taken place before the recess; but they were wholly irrelevant to the present question, which merely regarded the ratification of a particular contract with the Bank. He thought, that in the discussions which had taken place on the new-modelling of the sinking fund, the principle of the measure had been generally understood and agreed to by the House. With regard to the power of the Bank to hold stock, it must be in the recollection of the hon. mover, that the Bank held a million of the loyalty loan in the last war. In the present case, the Bank might keep the whole of the long annuities, and divide them among the proprietors of Bank stock, as in the instance of the loyalty loan. As to the time at which the bargain was made, the government could only take the market as they found it, in any transaction of this nature. It was impossible for them to determine whether the funds were likely to be higher or lower at any future period.

Mr. *Grenfell* said, it was true that the Bank held a million of the loyalty loan in the last war; but, a short time after the contract was concluded, it was suggested to them by their own solicitor, that it was made in direct violation of their charter, and they, therefore, divided the whole of the loan among the proprietors. In the present bill, however, there were two clauses; one expressly authorising the Bank to hold, and another to sell stock.

The House divided: For the amendment, 44. For the original motion, 55. The House then went into a committee on the bill.

IRISH MISCELLANEOUS ESTIMATES—PROTESTANT CHARTER SCHOOLS — FEMALE ORPHAN HOUSE — CORK INSTITUTION — ROYAL DUBLIN SOCIETY — GLEBE HOUSES.] The House having resolved itself into a committee of supply to which the Irish Miscellaneous Estimates were referred. Mr. Goulburn moved, "That 17,000*l.* be granted for defraying the expense of the Protestant Charter Schools of Ireland, for one year."

Mr. *Hume* said, he had expected to see a considerable reduction in the Irish estimates of the present year. He regretted that he did not see upon the table certain returns for which he had moved, showing the revenue and expenditure of Ireland during the last three years. From those papers, when produced, it would appear that the expenditure of Ireland exceeded her revenue by 2,500,000*l.* He found, by the articles of the Union, they were bound not to reduce the allowances for charitable purposes below the average of the six preceding years. The subject had been discussed in 1817; and at that time it was agreed, that the charitable grants ought not to continue at the rate at which they then stood. From this admission, he had been led to hope for a nearer approximation to the average stipulated in the articles of the Union. That average, calculated on the six years preceding the Union, was 47,284*l.* This sum went on increasing, until it had reached 205,000*l.* in the year in which the committee sat. It had now been reduced to 123,000*l.*, which he still thought too much. He objected generally to the principle of the public attempting to provide for and manage charitable establishments. A great deal of the money granted for such purposes was diverted from the proper channel. To the specific proposition, he could not assent. He would never grudge money for giving education to the children of the Irish people. On the contrary, he would advise some general system for that purpose; but then he would have it adapted more to the necessities of the whole people: he would have the means secured for imparting education to the Catholic population, which formed five-sixths of the whole people. He would move for a reduction of the vote to 10,000*l.*, with the hope of seeing the other 7,000*l.* applied to some plan of education more consistent with the general interests of the people.

Mr. *Goulburn* said, it was true that this vote was for an establishment for Protestant education; but it was not exclusively for the benefit of Protestants. It was an establishment in the strictest and most general sense charitable. So far from interfering with the duties of parents, the greater portion of the children were orphans.

Sir *J. Newport* thought there might be a more judicious application of the grants for the education of the Irish people, and hoped to see some beneficial alteration. He thought it would be advisable to reduce the number of scholars on the establishment, which was too exclusive and separate, and apply the grant to one of more general usefulness. Still, the modification must be left to the discretion of the public functionaries.

Mr. *Goulburn* said, he would take the subject into his consideration, with a view to the adoption, if possible, of some more advantageous plan for the application of these grants. He did not think that more than a due proportion of these grants was allotted for the education of Protestant children.

Mr. *Hume* said, that in consequence of the explanation which had been given, he would withdraw the amendment he had proposed, and substitute in its stead a resolution, that the grant should be reduced to 13,000*l.*

The question upon the latter amendment was then put, and the House divided: For the amendment, 15. Against it, 42. On the resolution, "That 1,930*l.* be granted for defraying the expense of the Female Orphan House in Dublin, for one year,"

Mr. *Hume* adverted to the periodical increase of the sums granted to this institution, as an illustration of the system of charitable grants to different institutions of Ireland. At the time of the Union, the grant was only for 500*l.*; it was now 1,930*l.* He trusted the expense would only be applied to the support of those who were now actually supported, and that in future the principle of exclusion would be applied, so as ultimately to get rid of these grants altogether. It was a severe burthen on the great mass of the community that it should be burthened with demands for the support of a small part of the population. If the government did not exert itself to accelerate that result, he trusted the House would, in the next session, take up the subject.

Mr. *Goulburn* protested against the general principle of the hon. member, that, because it was impossible to support the whole of the pauper population, no support of the kind should be bestowed.

Mr. *Dawson* adverted to the great increase that had taken place in the population of Dublin and other parts of Ireland.

Mr. *Grattan* disapproved altogether of any interference with the Irish charitable institutions: and bore his testimony to the judicious administration of the houses of industry in Dublin.

Mr. *Monck* said, the hon. member for Aberdeen's proposition was perfectly correct. There was no distinction more obvious than that between duties of perfect and imperfect obligation. Nothing could be more unwise than an attempt to enforce, by legislative enactment, the performance of duties of imperfect obligation. The poor laws of England were a remarkable instance of this. His hon. friend did not propose that the children should be abandoned; but that they should be supported by the contributions of the rich, and not by the public purse. If the public performed this duty, it would have the effect of stifling the operation of charitable feeling, and would furnish an excuse to those who could afford it, to withhold their donations.

Sir *J. Newport* said, that the Union having withdrawn the rich proprietors, prevented their charity from having that effect in Ireland which it would otherwise have. If the three millions annually brought over to England from Ireland, were expended in the latter country, not only would the poor be relieved, but every charitable establishment be adequately supported.

Mr. Secretary *Peel* said, he could, from his own knowledge, assert, that more liberality, or a greater portion of charitable feeling, did not exist in any community than was to be found in Dublin. The hon. baronet had spoken of the disadvantages under which Ireland laboured, in consequence of the absence of many individuals of wealth and rank, whose duties obliged them to reside principally in this country. But there was another point which bore particularly hard on the city of Dublin. A great number of persons, from every part of Ireland, proceeded to Dublin, on their way to this country, where they hoped to procure a livelihood. The consequence was, that the poor of all sorts congregated there, and the ordinary sources of charity were inadequate to their support. He had himself officiated on charitable occasions in Dublin, and he never knew larger funds to be raised in any place for purposes of charity and benevolence. He had seen from 600*l.* to 800*l.* collected at a charity sermon. These donations supplied, in some degree, the place of the poor laws.

Mr. *Hume* said, it was very true, that many Irish gentlemen came over to this country; but did their land come with them? Why should they not apply a portion of their revenues to the support of these charities? Why should the public be called on to supply the funds? Such charitable grants were really not beneficial. If we wished to make Ireland happy, we must give them education, revise the existing tithe system, and discourage, as much as possible, the tendency to become absentees.

Mr. *Dawson* defended those Irish gentlemen whose public duties compelled them to remain in this country, from the imputation thrown out in so general a manner. If charities were to depend merely on individual bounty, we should soon have but few efficient charitable institutions. The resolution was agreed to. On the resolution, "That 2000*l.* be granted for defraying the expense of the Royal Cork Institution,"

Mr. *Hume* asked why, if such an institution were good in Cork, it would not be equally good at Limerick, and other places? Why not, instead of burthening the public with the expense, let the persons who attended the lectures pay for them.

Sir *J. Newport* defended the institution, and said it had done great service, not only to Cork, but to other parts of Ireland. When first established, however, he allowed it was expected that it would eventually support itself.

Mr. *Hume* called on government to say, why the institution had not supported itself, and why the public were still called upon to support it.

Mr. *Goulburn* contended, that the institution had greatly tended to the improvement of the various manufactures of Ireland. It was impossible that it could maintain itself, because the subordinate classes of the people who received instruction from it, had no means of allowing any remuneration for the advantage.

The resolution was agreed to. On the resolution, "That 7,000*l.* be granted to the Royal Dublin Society,"

Mr. *Hume* said, he had last year taken the sense of the committee on this vote, because he conceived it to be money actually thrown away; and he was now more and more convinced, that the sum demanded, could not, as laid out by the society, operate any benefit to the country. The society was founded in 1731. It was intended not to promote one, but several objects, the chief of which were, agriculture and manufactures. Now, there were other societies established for the same purpose; and why should they divide the public funds in this way? Last year, the right hon. gentleman had expatiated on the useful publications which had emanated from this body. He should be glad to know what great literary productions the society had sent forth in the last year? He believed it was more a political club, where gentlemen met to read the newspapers, than a literary society.

Mr. *Goulburn* said, the society was not merely founded for the purpose of preparing literary works, but to patronize lectures on different branches of art and science. There were six professors, who lectured on chemistry, botany, natural philosophy, &c. Those lectures were extremely well attended. Since professors had been appointed, many improvements in the useful arts had been effected, the benefit of which was felt by a large class of persons. There was another branch of the institution which had for its object the cultivation of the fine arts; and many individuals who had attained to great proficiency in those arts, owed their first advance to the instruction which they had received in that society. As soon as their funds allowed it, two students would be selected to prosecute the study of the fine arts in Rome.

Mr. *Hume* said, the right hon. gentleman, when this subject was last before the committee, had appealed to the valuable publications that had been sent forth by the Dublin society, as a proof of the utility of that body. Where were those publications? He had indeed picked up some of their proceedings, and they certainly were the most childish proceedings he ever met with. He had the minutes of six of their proceedings, and they were really puerile. In one instance, a motion was made to pay 5*l.* to the clergyman, as tithe of an acre and a half of land belonging to the institution, for the produce of which they only received 8*l.* He called on any Irish gentleman to declare, what was the opinion entertained of the society in Dublin. Was it not considered a mere job? and were not the proceedings childish in the utmost degree? He saw amongst the proceedings votes of 1*l.* 10*s.*, 3*l.*, and 4*l.* as premiums for the improvement of the fine arts. This was all a mockery. But the right hon. gentleman said, that students would be sent to Rome, to study the fine arts. What had they to do with sending sculptors to Rome? They were already overloaded with sculptors and artists of every description. By proceeding in this course, they would create a greater number than the demand required; and the effect of such an expenditure of money would be, to injure those who were already connected with the arts. Why were not students sent from London to Rome? Why did not the right hon. secretary for the home department move for a sum of money to send young men from London to Rome on the same principle? With respect to the useful publications of the Dublin society, he was not content to lavish the public money on bookmakers. If necessary, many persons could easily be found, who were ready to make them, and whose manufacture would be much better than that of the Dublin society. He certainly should propose a reduction of one-half the grant. No less than 1,271*l.* was paid in rent and taxes, for the house of the establishment—a sum which, if applied properly, would be of more use in spreading knowledge through different parts of Ireland, than all that had been done by the Dublin society. He would, by reducing the grant, put it out of their power to send artists to Rome, or to purchase periodical publications; and, if he succeeded now, he would move a further reduction next year. He then proposed that 3,500*l.* should be substituted for 7,000*l.*

Sir *J. Newport* observed, that the efforts of the society had produced a great improvement in agriculture.

Mr. *Hume* said, that when money was voted to an institution for one purpose, it ought not to be appropriated to another. If the improvement of agriculture was sought for, they had a Farming society, and why not directly vote money to them for that purpose?

The amendment was withdrawn, and the resolution agreed to. On the resolution, "That 9,230*l.* be granted, for defraying the expense of building churches and glebe-houses, and of purchasing glebes in Ireland,"

Lord *A. Hamilton* did not rise to oppose the amount of the sum, but to express his dislike to the principle on which it was called for. The grant was for the establishment of the church of Ireland; and, as they had heard last night, the first fruits, which should be made available for that purpose, had of late never been collected. But, the ground on which he opposed the vote was, that the church of Ireland was already overpaid—that it was remunerated more largely, in comparison with the duties performed, than the church of any nation in Europe. Sorry, also, he was, to say, that the church service was worse performed in Ireland than in any other country. He did not mean to cast odium on those by whom it was so performed: he would let those individuals and the government divide the odium between them. The facts were, however, before the House. They might see, by examining the documents on their table, how many parishes were without clergymen; they might also see, that various parishes were so united, that it was impossible, the duty could be performed. They found a considerable body of persons complaining to lord Blaney, that the rites of the church in their district were not solemnized. And, what was the answer?—that he had, for three years, been ineffectually labouring to remove the evil. It must also be kept in mind, that the whole of the money thus granted by parliament must be defrayed out of the taxes of this country, for Ireland was unable to exceed her present amount of contribution to the public exigencies.

Mr. *Goulburn* said, that the noble lord seemed to imagine that this was a vote of 9,000*l.* to pay the church establishment of Ireland. It was no such thing; and, until the noble lord could satisfy him that the clergy, both here and in Ireland, were bound to build glebe-houses and repair churches out of their own pockets and without this aid, he must persevere in proposing the present vote. With respect to the noble lord's observation, that no where was the church service worse performed than in Ireland, he must declare, as a constant attendant at that service both here and in Ireland, that in no place had he seen it better performed than in the latter; that in no place had he seen it more efficiently enforced, or in a manner which reflected greater honour and credit upon the clergy engaged in such duties.

Lord *A. Hamilton* said, that his meaning was, not that the church service in Ireland was worse performed, but that in many instances it was not performed at all; and in proof of this he referred to lord Blaney's letter, and to the parliamentary returns, which showed that in many parishes there was no church at all.

Mr. *Goulburn* said, that lord Blaney's letter merely went to show, not that there was no service performed, but that there ought to have been a resident rector as well as curate.

Sir *J. Newport* said, that the recommendation of lord Blaney to the bishop of the diocese appeared to have been made in vain, although backed by the entreaties of 300 of the protestant parishioners. He meant to oppose this vote on two grounds; the first was, that it went to augment the funds of the higher orders of the clergy of Ireland, who were already greatly overpaid, and who, if not bound by law, were yet bound in honour to defray those expenses incidental to the performance of their duties, more particularly when it was considered that the hierarchy of that church received out of the pockets of the people hundreds of thousands more of emolument than was received by any other clergy in Europe. Would the world believe, that the three principal personages of the Irish episcopacy, who had died within the last fifteen years, had bequeathed to their families upwards of 700,000*l.* every shilling of which enormous property they had acquired by their sees in Ireland? Such a fact ought to bring down shame upon the episcopal order, when the members of it called for parliamentary aid to repair their glebes? His second ground of objection to the vote was, that by the statutes of Geo. 1st and Geo. 2nd., it was enjoined that every clergyman possessed of a benefice exceeding 100*l.* a year in value, should be obliged by his archbishop or bishop, within three years to build a glebe-house; yet, notwithstanding these provisions of the law, he knew instances in which glebes containing 1,500 and 2,000 acres of land, were held for five, seven, and ten years, and no glebe-house ever built upon them. This was the case in the parish of Killybegs, in the diocese of Raphoe; and the bishop, who was the present primate of Ireland, had not enforced the law, and why? Because the rector was a pluralist and non-resident. It was too hard upon the catholic population of Ireland to be taxed in this manner for building and repairing protestant churches, while they knew that the protestant clergy derived such enormous revenues for the performance of such inadequate services. That a wretched and impoverished catholic peasantry should be oppressed by sesses levied for such a purpose was a disgrace to the established church.

Mr. *Hume* denied that the Irish government had reformed the abuses of the Irish established church, which he would contend remained at the present day, as notorious as they were when Mr. Grattan brought the subject before the Irish legislature. Since the year 1800, no less a sum than 703,994*l.* had been granted for these church buildings. Such a demand, particularly upon the people of England, was monstrous, when the Irish church possessed such enormous revenues. He would take the sense of the house upon the vote.

Mr. *W. Smith* said, that were he a bishop, he would look upon the proposer of such grants as these as the worst friend of the established church, for the effect of such propositions must be, to alienate men's minds from the establishment. He had heard from undoubted authority that in Ireland the number of the catholics was increasing, while that of the protestants was on the decrease. Where, then, were the practical benefits conferred on Ireland by the church establishment, adequate to the enormous amount of its expense, and the contention for the payment of its tithes?

Mr. *Grattan* confirmed the statement respecting the numerical decrease of the protestants, which he attributed to the manner of upholding the established church more by the amassing of enormous wealth than the adequate performance of religious duties. It was too much, under such circumstances, to come to parliament for grants which must be defrayed out of the pockets of the people, already too much oppressed by the intolerable weight of a system fraught with the elements of permanent disturbance in Ireland.

Mr. *Goulburn* said, that the money for glebe-houses was only called for in advance; it was afterwards to be repaid to the public by the incumbents. The revenue of Ireland might not be equal to all the expenses of that kingdom; but the question ought to be considered with reference to the whole empire. It ought to be viewed, not so much one of a local as of a general nature. Wherever the government had built glebe-houses, and there had been a resident clergy, the effect had been to increase the number of the protestant community, and the object of the vote would be to collect, as soon as possible, the whole of that community in Ireland, under the care of a resident protestant clergy, and thereby to confer a lasting benefit, not upon Ireland only, but on the whole united kingdom.

Sir *J. Newport* observed, that, in the diocese of Ossory alone, from 1737 to 1802, there had been an amazing decrease of protestants. So lately as in 1816, there had been an instance in which six vicarages were united into one benefice. He pledged himself that next session he would move the House to go into a committee on the state of the established church in Ireland, and to consider the report of the bishops thereon.

The committee divided. For the resolution, 43, against it, 19.

HOUSE OF LORDS.

Monday, April 14.

Negotiations relative to Spain.] The order of the day being read,

The Earl of *Liverpool* rose and said:*

I rise, my lords, to lay on your lordships' table, in obedience to the commands of his majesty, papers, relative to the negotiations in which his majesty's government have lately been engaged at Paris, at Verona, and at Madrid, for the purpose, and in the hope, of preserving the peace of Europe, by adjusting the differences which had unfortunately arisen between France and Spain. Before I make the usual motion, that the titles of these papers be read, it is my intention to offer to your lordships some observations and statements, explanatory of their general purport; in order that you may be distinctly informed of the course which has been pursued, during these negotiations, and of the policy which his majesty's government now think it advisable to adopt, in consequence of their unfortunate issue.

My lords, I know it was stated in this house, upon a former occasion, that the course which I propose this evening to adopt, is consistent neither with fairness nor with precedent, and must be attended with inconvenience to your lordships. I should be very sorry, my lords, if that were really the case.—I should be very sorry, in a proceeding of any kind, but more especially upon a business so important as the present, to make an unnecessary and injurious deviation from the usual practice: but I cannot for a moment believe that the course which I am about to take is liable to such an imputation. It is the more especially requisite, on the present occasion, because, although your lordships will find in the papers now communicated by his majesty's orders, the fullest information with regard to the line of conduct which has been adopted by his majesty's government; it is nevertheless, obvious that there must be papers connected with the negotiations, over which (from their not having been officially communicated to this government) we have no jurisdiction or control. All that can be produced, are now produced; but there are documents to which his majesty's government have not been parties, which cannot be laid on the table, and which therefore must be verbally alluded to and explained. It is not, however, my intention to call upon your lordships for any opinion, or even for any intimation of an opinion, on the papers now presented, but merely to furnish you with such explanations as they do not afford, and thereby to put your lordships in possession of the whole case of his majesty's government. It will then be for your lordships to consider, whether it may be necessary or proper to found any proceeding upon these communications.

On a former evening, I observed to your lordships, that his majesty's government were not in the situation of submitting to parliament the history of a negotiation terminated (as far as this country is concerned) by war. On such an occasion, it has been usual to accompany the papers with an official declaration, comprehending not merely a statement of facts, but the whole argument of his majesty's government, and embodying all the grounds and reasons on which their conduct has been founded. On the present occasion, however, from the very nature of the case, no such declaration can be issued; and it has therefore been felt to be more expedient and desirable, and more fair towards all parties, to accompany the production of the papers by a general statement, explanatory of the course of policy which his majesty's government has adopted. With this view, I now address your lordships; and I shall endeavour to execute my purpose as briefly and clearly as possible; referring to the papers themselves for the necessary elucidation, and stating, first, the general progress of the negotiations in which his majesty's government have been engaged; and, afterwards, the policy which they have thought fit to adopt, in consequence of the result of those negotiations, as well as the reasons which have led to the adoption of that policy.

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My lords, the papers now before your lordships begin with the proceedings of the last year as to Spain. But, before I enter upon them, it may not be unadvisable to recal to your lordships' minds some antecedent facts, in order that it may be clearly seen in what situation the government of this country stood, with respect to the transactions in Spain, before the meeting of the allied sovereigns at Verona. Your lordships will recollect, that when the king of Spain was restored in 1814, that country was under the administration and government of the constitution which had been established in his absence in 1812. That constitution, it must be acknowledged, had been established under many circumstances, which neither his majesty's government, nor the noble individual who was then employed by his majesty's government in that country, could possibly approve, and which it must be allowed were, in some respects, of a very unpropitious nature. It had been established while the cortes were confined to the Isle of Leon; and, as might have been apprehended, without a sufficient knowledge of the wishes of the nation. It had been established, likewise, on many principles extremely erroneous; and which were not only erroneous in themselves, but wholly inapplicable to the state and feelings of the country. Upon the restoration of the king of Spain, it became a question, what course it would be most proper for him to adopt with respect to the constitution, to which till then he had been no party.

The right hon. gentleman, who at that time represented his majesty at the court of Spain (sir H. Wellesley) advised the king, when at Valencia, to accept the constitution, subject to certain alterations and modifications. After some hesitation, a different line of conduct was pursued by the Spanish monarch. He was led to think that the sentiments of a great majority of the inhabitants of the country were unfavourable to the constitution; and undoubtedly, as far as I have possessed the means of ascertaining the fact, I believe that this opinion was correct. Nay, I will go further. I will say, that I should not at all have regretted that the king of Spain had declined the advice of our minister in that country, and his adoption of another course, had his majesty only adhered to the promises which he made, when he refused to sanction the constitution, on the ground that it was neither conformable to the wishes of the people, nor applicable to the circumstances of the country. At the time that the king of Spain signified his refusal, he issued a declaration, promising that the cortes should be immediately assembled, and distinctly recognizing the principles of a representative constitution, a limited monarchy, and a free press. If that promise had been performed—if that proclamation had really been acted upon, I am far from thinking, that Spain or Europe would have had any reason to regret the course which was adopted.

But, my lords, notwithstanding the king of Spain's declaration, that the cortes should be immediately assembled, and that a representative constitution and a limited monarchy should be established—notwithstanding all this was promised in terms as strong and unequivocal as it was possible to use, the cortes was not assembled from the year 1814 until the year 1820, when the revolution took place; and not only was no cortes assembled, but a course of misgovernment was pursued, which made the events of the month of April 1820, a matter of no surprise to any one acquainted with the circumstances of that country. In April 1820, those events took place, which are subjects of general notoriety, and which terminated in the restoration of the constitution of 1812. The restoration of that constitution, and more especially the circumstances by which the restoration was accompanied, created alarm among some of the allied powers. Undoubtedly, my lords, the manner in which this change was brought about, must be a matter of considerable regret. But I thought at that time—I think now—and every consideration only serves to confirm me in the opinion—that if ever there was a case which, in justice and equity, ought not to have provoked the hostility of foreign powers, it was the restoration in Spain of the constitution of 1812, however bad that constitution may be.

For, what was the fact? That constitution was established in 1812. It existed for two years; during which, Spain, with the assistance of Britain, nobly and effectually contended for her liberty and independence. During those two years, all the powers of Europe renewed friendly relations, and some of them actually concluded treaties of alliance with the government which administered that constitution. Whatever, therefore, my lords, may be the defects of that constitution—to whatever objections it may be justly liable—however much the evils of its formation may require a remedy, what right can any government, which recognized it in its former existence, have, to consider its restoration as the justification of hostility? Are not those, who are the most deeply concerned and interested in that restoration, entitled to say to any government evincing such a disposition, "we have merely brought matters back to the state in which they were when you made treaties of peace with us, and courted our alliance?" My lords, in my opinion, it must, on those grounds, appear to every candid and reflecting mind, that whatever defect there may be in the Spanish constitution—whatever there may be to regret in the mode in which it was re-established, there is nothing in the restoration itself, which ought to have provoked the hostility of any power in Europe.

Such, my lords, being the feeling of his majesty's government, they took every opportunity of distinctly stating that feeling, and of inculcating the policy which it naturally suggests, to foreign powers. It must be in the recollection of your lordships, that, at an early period of these transactions, when a question was put to me by a noble lord on the subject of a paper published by the court of St. Petersburgh, I openly avowed the feelings and policy of his majesty's government on this subject. From that period, down to the meeting of the sovereigns at Verona, no event occurred by which any opportunity was afforded to the government of this country to express their sentiments, of which they did not avail themselves, for the purpose of deprecating, in the strongest manner, any interference in the internal concerns of Spain. That interference has been deprecated by this country on every possible ground. It has been deprecated on the general principles repeatedly put forth by his majesty's government, especially in the paper which was addressed to the allied powers in January 1821; namely, that the policy of this country, in conformity to the law of nations, was that of non-interference in the internal concerns of other countries; and that it required a special and extraordinary case to justify such interference. On every occasion this was distinctly repeated by his majesty's government, from the earliest period to the last moment of the departure from London of the noble individual who represented the French government in this country, to attend the congress at Verona. In addition to those general reasons of policy, which, except in very special circumstances, forbid interference in the internal concerns of any country whatever, the peculiar situation of Spain, her localities, the difficulties to be encountered in an invasion of her territory, the probability of a protracted war—the results of which it was impossible for human wisdom to foresee—all these considerations, in addition, as I have said, to the claims of justice, were urged in the strongest manner as grounds for abstaining from interference with Spain.

This, my lords, was the view of affairs taken by this country, when it was determined by his majesty's government that a noble friend of mine, now unfortunately no more, should repair to Vienna, in the character of his majesty's plenipotentiary at the congress appointed to be held there, and subsequently at Verona. I have no difficulty in stating, that at that moment, although his majesty's government were perfectly aware that the question of Spain, in common with various other questions, might undergo some discussion at the congresses of Vienna and Verona, it was not their belief that it would form any very prominent part of that discussion. There were several other matters which, they were led to think, would be more likely to engross the chief attention of the sovereigns and the representative ministers assembled on that occasion. However, the general instructions given to my noble friend, at that period were precisely in the spirit of all our former communications. Certainly, events did afterwards occur, which induced his majesty's government to believe that the affairs of Spain would bear a more prominent part in the discussions than they had anticipated, and that those affairs would be brought forward by the French government in a distinct manner at the congress, for the purpose of obtaining from the other powers of Europe, some decided and recorded opinion, in regard to the course which ought to be adopted with respect to Spain.

The first intimation of such an intention on the part of the French government, will be found at the commencement of the papers on your lordships' table. It was thrown out in a conversation which took place at Paris, in September last, between a noble friend of mine, who, in consequence of the lamented death of my noble friend, to whom I have already alluded, was on his way to the congress of Verona, and the French minister, M. de Villèle. Soon afterwards, other circumstances occurred, which clearly indicated that the affairs of Spain would form a more prominent feature of the discussions at the congress than his majesty's government had previously supposed. The right honourable gentleman, who had filled the office of his majesty's ambassador at Madrid, having resigned his situation, and another gentleman having been appointed to replace him, the concerns of the embassy were at that time in the hands of a chargé d' affaires. A representation was made to his majesty's government, by some of the powers who were about to assemble at Verona, requesting that the gentleman newly-appointed might not proceed to Madrid, until the negotiations at Vienna and Verona should be brought to a conclusion. But before the receipt of that representation, the right honourable gentleman who was appointed his majesty's minister at the Spanish court, had been desired to lose no time in repairing immediately to Madrid; in consequence of the strong conviction, on the minds of his majesty's government, of the expediency of his being at his post before the commencement of the discussions at Vienna and Verona. The attempt, however, to prevent his departure, appeared to his majesty's servants to be indicative of intentions of which they were not before aware.

In consequence of these indications, my right hon. friend, who had recently been appointed secretary of state for foreign affairs, sent instructions, at the earliest possible period, to my noble friend his majesty's plenipotentiary at the congress. Those instructions were most unequivocal in stating the policy of this country. "If," says my right hon. friend, in a dispatch dated the 27th of September,—"if there be a determined project to interfere by force or by menace in the present struggle in Spain, so convinced are his majesty's government of the uselessness and danger of any such interference—so objectionable does it appear to them in principle, as well as utterly impracticable in execution, that when the necessity arises, or (I would rather say) when the opportunity offers, I am to instruct your grace at once frankly and peremptorily to declare, that to any such interference, come what may, his majesty will not be a party."

Such, my lords, were the precise and positive instructions sent by my right hon. friend at the head of the foreign department, to my noble friend his majesty's plenipotentiary at the congress of Verona; and to those instructions all that follows will be found to bear the strictest conformity. When the congress assembled, the first step taken by the French government was to put certain questions to the other powers, to which they desired that they might receive from those powers distinct and specific answers. Those questions were three in number.

The first question was,—"In case France should find herself under the necessity of recalling her minister from Madrid, and of breaking off all diplomatic relations with Spain, will the high courts be disposed to adopt the like measures, and to recal their respective missions?"

The second question was,—"Should war break out between France and Spain, under what form and by what acts would the high powers afford to France that moral support, which would give to her measures the weight and authority of the Alliance, and inspire a salutary dread into the revolutionists of all countries?"

The third question was,—"What, in short, is the intention of the high powers as to the extent and the form of the effective assistance (secours matériel) which they would be disposed to give to France, in case active interference should, on her demand, become necessary?"

These questions certainly appeared to his majesty's ministers to relate to prospective and contingent cases, rather than to be applicable to any state of things existing at the moment at which they were proposed. They did not appear to contemplate any invasion of the Spanish territory by France at that time; they rather seemed to contemplate some period at which Spain might be the aggressor, and France might feel it necessary to take the field in self-defence. However, the

French government having called for answers to these questions, the three other allied powers made answer, that if France should be induced to break off her diplomatic relations with Spain, they were disposed to imitate her example, and to break off theirs, as well as to give to France every countenance and assistance she might require. The noble Duke who represented his majesty's government at Verona gave a very different answer. He stated distinctly that "since the month of April 1820, the British government had availed themselves of every opportunity of recommending to his majesty's allies to abstain from all interference in the internal affairs of Spain;—that, without adverting to those principles which his majesty's government must always consider the rule of their conduct in relation to the internal affairs of other countries, they considered that to whatever degree either the origin of the Spanish revolution, the system then established, or the conduct of those who had since had the management of the internal affairs of Spain, might be disapproved of, any amelioration which might be desired in the Spanish system, for the sake of Spain herself, ought to be sought for in measures to be adopted in Spain, rather than abroad; and particularly in the confidence which the people should be taught to feel in the character and measures of the king: that they considered that an interference with a view to assist the monarch on the throne, to overturn that which had been settled, and which he had guaranteed, or to promote the establishment of any other form of government or constitution, particularly by force, would only place that monarch in a false position, and prevent him from looking to the internal means of amelioration which might be within his reach;—and that such an interference always appeared to the British government an unnecessary assumption of responsibility; which, considering all the circumstances, must expose the king of Spain to danger, and the power, or powers, which should interfere, to obloquy, certain risks, and possible disasters; to enormous expenses, and final disappointment in producing any result."

This was the very first communication of the sentiments of the British Government, made by my noble friend, who was their representative at the congress of Verona, in answer to the three questions addressed to the several allied powers by the French plenipotentiary; and your lordships must see that it conveys a most distinct refusal, on the part of this country, to take any share in proceedings, having for their object an interference in the internal affairs of Spain. But, my lords, subsequently to that communication, two steps were suggested at the congress, on which the several powers were called upon to decide. The first, and the only one to which it is at present necessary for me to allude (for I shall have hereafter to state the second), was, to cause official notes to be prepared, for the purpose of being presented to the government of Spain, by the ministers of the several powers resident at the court of Madrid; but that plan was afterwards changed. Instead of official notes, it was proposed, in order to afford a greater latitude for discussion and explanation, to address dispatches from the great powers at congress, to their ministers respectively, to be communicated to the Spanish government, requiring that the king of Spain should be set at liberty, and expressive of the wishes and intentions of the several courts, that certain alterations should be made in the constitution, stating, at the same time, that if those representations should prove ineffectual, the ministers should be ordered to withdraw from the court of Madrid. My noble friend made every effort to prevent the adoption of such a measure. He stated what had always been the policy of his majesty's government, on the question of interference in the internal affairs of other countries, except under circumstances of a peculiar and extraordinary nature; he most solemnly protested against any interference in the internal affairs of Spain, particularly in the shape of menace; and he strongly advised the other powers of Europe, if they thought fit to interfere at all, that they should confine themselves to what might properly be called the external quarrel between France and Spain;—to grievances which the Spanish government complained of having experienced from the French government, and, on the other hand, to grievances which the French government complained of having experienced from the Spanish government.—On that occasion, my lords, my noble friend, after having requested the cabinets of Austria, Prussia, and Russia, to consider, whether that was the moment at which the intended remonstrances ought to be made to Spain,—whether they were calculated to allay her irritation against France, and to prevent a possible rupture, proceeded thus ;—

" They are certainly calculated to irritate the government of Spain; to afford ground for a belief that advantage has been taken of the irritation existing between that government and France, to call down upon Spain the power of the alliance, and thus to embarrass still more the difficult position of the French government.

" The result of these communications will probably be, that the diplomatic relations between the three allied courts and Spain will be discontinued. Whatever may be the state of the questions between France and Spain, this occurrence cannot assist the cause of France; as those questions will stand upon their own ground, and the government of France must decide them upon their own merits.

" But these communications are not only calculated to embarrass the French government, but likewise that of the king, my master. His majesty feels sincerely for the king and the people of Spain; he is anxious to see a termination of the evils and misfortunes by which that country is afflicted; and that it should be prosperous and happy. His majesty likewise earnestly desires that the usual relations of amity and good neighbourhood may be re-established between France and Spain; and his majesty's government would have been anxious to co-operate with those of his allies, in allaying the existing irritation, and in preventing a possible rupture.

" But his majesty's government are of opinion, that to animadvert upon the internal transactions of an independent state, unless such transactions affect the essential interests of his majesty's subjects, is inconsistent with those principles on which his majesty has invariably acted on all questions relating to the internal concerns of other countries; that such animadversions, if made, must involve his majesty in serious responsibility, if they should produce any effect; and must irritate, if they should not: and, if addressed, as proposed, to the Spanish government, are likely to be injurious to the best interests of Spain, and to produce the worst consequences upon the probable discussions between that country and France.

" The king's government must therefore decline to advise his majesty to hold a common language with his allies upon this occasion: and it is so necessary for his majesty not to be supposed to participate in a measure of this description, and calculated to produce such consequences, that his government must equally refrain from advising his majesty to direct that any communication should be made to the Spanish government, on the subject of its relations with France.

" His majesty, therefore, must limit his exertions and good offices to the endeavours of his minister at Madrid, to allay the ferment which these communications must occasion, and to do all the good in his power."

Such, my lords, were the terms of the solemn protest addressed by the British Plenipotentiary to the Cabinets of Austria, Prussia, Russia, and France, on this important occasion. A paper was afterwards drawn up by those governments, to which this country was no party, stating the several contingencies,—the occurrence of which would induce the other three powers to join with France in hostility against Spain. Those contingencies were, first, in the event of France being attacked by Spain, or of any attempt, on the part of the Spanish government, to propagate its opinions in other countries, by force of arms. Secondly, the dethronement of the king of Spain, or any act of violence towards the king or royal family, Thirdly, any measure on the part of the Spanish government, taken with a view to change the existing dynasty in Spain.

In the first place, my lords, independently of the general objection to any interference, in a case in which interference was not called for by necessity, I should have entertained the strongest indisposition to enter into any prospective and contingent engagements of such a nature. The only case in which his majesty's government ever allowed that interference might be justifiable, was as to the *external* question; and of the merits of that question they had not been apprised, and therefore could give no opinion. If, however, grievances existed, as probably they did exist, on both sides, it appeared to them that those grievances might furnish a fair and proper object for the interference and mediation of the other powers of Europe, with a view to the general tranquillity. But against all other kinds of interference, and more especially against any interference assuming the shape of menace or hostility,—I repeat, my lords, that his majesty's government most solemnly protested.

My lords, it is most material that I should observe to your lordships, that down to this period, that down to the conclusion of the meeting of the allied sovereigns and their representative ministers at Verona, nothing occurred that was calculated necessarily to produce war between France and Spain. For your lordships will remark, that, however objectionable in your opinion, and however objectionable in the opinion of his majesty's government, the conduct of the allied powers respecting Spain, there was nothing in their conduct which, at that time, appeared to lead to the invasion of Spain by France, or by any other power. Of the three conditions on which hostilities were to commence, the first was purely defensive, and all were contingent. None of those conditions were applicable to any case which then existed, or which, as far as the information of his majesty's government went, was likely at that time to occur. And, although I have no difficulty in stating, that, in my opinion, the measure adopted by the allied powers at the congress, of issuing those instructions to their respective ministers at the Court of Madrid, was an unwise and improper step—that it was a step against which it was the duty of this country solemnly to protest; yet it is not for me to inform your lordships, that the breaking off diplomatic relations between states is neither war, nor a circumstance which can, properly considered, be a legitimate cause for war. There are instances of diplomatic relations having been suspended for years between countries remote from one another, without the occurrence of war; and there is no reason why it should not be so. Between countries near to one another, and with conflicting interests to adjust, it must be admitted, that from the want of proper diplomatic intercourse, communications, and explanations, on matters in dispute, become difficult, if not impossible, and that this unsatisfactory state of things may lead to war; but still in itself it is no just ground for war. All countries have a right to decide for themselves on that point. The removal of a resident minister from any Court is, I repeat, no just ground for war. Nay, there may be cases, although undoubtedly that to which I have been referring is not one of them, in which it may be most advisable that all diplomatic intercourse with another state should be suspended, although it may neither be justifiable nor expedient to go to war with that state.

It is material, my lords, that, before I proceed further, I should establish the fact that, at the conferences of the allied powers at Verona, there was no act which appeared to contemplate the immediate invasion of Spain by France. Not only was there no such recorded intention, but there was that which rather negatived the idea, that any such intention was then entertained; because, after the three contingent grounds of interference with Spain by France had been determined upon, a general provision was agreed to, that if any other case should arise of the same nature, but not in terms particularised, there should be a re-assembling of the ministers of the powers, to consider whether such case could be considered a *casus foederis*, and what ulterior proceedings ought to be adopted. Therefore, my lords, although I have no difficulty whatever in declaring, that the course of policy which the allied powers had pursued at Verona was, in all its parts erroneous, and in many of its parts unjustifiable; yet I contend that no step had hitherto been taken, which necessarily pointed at the invasion of the Spanish territory by France. What was the influence, and what were the views of particular individuals,—what was the spirit which dictated the policy that the allied powers pursued? —these are different questions, into which I do not mean to enter: but I maintain that the deliberations of the congress, were not accompanied by any act which could lead to the inference, that a direct attack upon Spain by France was at that time in contemplation.

After the separation of the congress, it certainly was, as before, for reasons which I need not trouble your lordships by detailing at length, the obvious policy of this country to embrace every just and honourable means of averting the perils and calamities of war. It was our object in case matters should appear to be proceeding to extremity, to endeavour to interpose the offer of the friendly mediation of this country between France and Spain. My noble friend was instructed to that effect. Upon his arrival at Paris, on his way from Verona, my noble friend found the French government, professing a disposition favourable to peace. That disposition was manifested and confirmed by one of the first acts of the French government, after the representations made by my noble friend to M. de Villèle. That act was to send a messenger to Verona, with orders to the French ministers at that place, to express the desire of the French government, that the transmission of the dispatches which had been addressed to the ministers of the respective powers, at Madrid, might be suspended. Still, my lords, under all the circumstances of the case, it was considered necessary for the perfect discharge of the duty of the British government, in a crisis so deeply affecting the interests and happiness, not only of the powers immediately concerned, but of the whole world, that my noble friend should put the French government in possession of his majesty's eventual offer of mediation. It was important that, whatever might occur, his majesty's government should have the satisfaction of being able to say to the people of this country and of all Europe, that such an offer had been made. Accordingly, my noble friend communicated to the French government his majesty's friendly wishes on the subject. His majesty's mediation as such, was, however, declined; and eventually, as is well known to your lordships, the proposition for suspending the transmission of the dispatches to Madrid was not agreed to by the allied powers. Those dispatches were transmitted; and the French government adopted the course of sending the letter from M. de Villèle to M. Lagarde, the French ambassador to the Court of Spain, which is already before the public, and which must be well known to your lordships. Undoubtedly, after the intimation, that the French government were disposed to adopt a more pacific course of policy, that letter did occasion some surprise in this country: for, although it did not contain any direct menace of hostility, it certainly had reference, in general terms, to a state of things which might lead to hostility. Still, however, this communication did not convey to his majesty's government any impression that the immediate invasion of the Spanish territory was contemplated by France. It is evident that it was considered by the court of Madrid in a more favourable light than it was by his majesty's government; for your lordships will observe in the papers on the table, when you come to peruse them, that when the Spanish government were apprised that M. Lagarde had received the letter to which I have alluded, they felt rather relieved than alarmed by the line of conduct which the French government had taken; the impression on their minds being that no measure of immediate hostility was intended on the part of France.

This, my lords, was the state of things at the period to which I have been alluding. I have now to state the course of policy adopted by the British government in this stage of the proceeding, and the principles on which that policy was founded. I have no difficulty in setting out, by saying, that his majesty's government were firmly convinced that every exertion ought to be made by this country, to prevent, if possible, the peace of the world from being disturbed by a contest between France and Spain. We felt that it was incumbent upon us, to use every effort, consistent with our honour, for the purpose of endeavouring to prevent the occurrence of such a calamity. I say, my lords, that we were bound so far to interpose from a regard to the interests of all parties. We were bound to do it from a regard to the interest of Spain:—We were bound to do it from a regard to the interests of France:—We were bound to do it from a regard to the interests of the whole of Europe. For what man, my lords, could say, when once hostilities were commenced, and commenced on such a principle, where they would terminate? We owed it therefore to France—we owed it to Spain—we owed it to Europe,—and still more, my lords, we owed it to ourselves, to adopt such means of attempting to prevent the actual occurrence of war between France and Spain, as were consistent with the safety, the interests, and the character of the country. It happened that we were placed in a situation which gave us an especial right to offer our mediation or good offices on the subject; because, about the very period to which I have been referring, and just a little antecedently to the last step taken by the French government, we were called upon by Spain for our amicable interposition in the disputes between her and France. We had been previously desired by the French government, to assist with our advice for the purpose of averting war, so that we did not volunteer our offer of mediation. It did not originate on our part, or from any regard to our own peculiar interests,—although, if it had so originated, I should have thought it a perfectly justifiable and honourable proposal;—but it originated in the desire and application of the governments both of Spain and France, for the amicable interference of this country; and on the part of Spain it was assumed, that even if she should be engaged in a defensive war against France, Great Britain would maintain a strict neutrality. I mention "neutrality," in this stage of the proceeding, for the purpose of showing, that it was in the contemplation of the Spanish government, at that time, that this country would remain neutral, in the event of Spain being involved in a war with France.

I have already referred to the offer of mediation made by his majesty's government to France, and to its being declined by the French government. They declined it, on the ground that the existing differences with Spain were not of that specific nature which would admit of mediation; but with the expression of a wish, that the good offices of Great Britain might be exerted with Spain, to restore a friendly understanding between the two countries. The interposition of this country was not therefore, as I have already said, a voluntary act on the part of this government, but was conformable to the declared wishes of both Spain and France.

My lords, we know from former communications, what was the great and immediate object which Spain had at that time in view. The gradual increase of strength, and the position of the French army of observation assembled on the frontiers, were very naturally the object of Spanish jealousy; and it certainly was the first wish of the Spanish government, that that army should be withdrawn. It is in vain, however, to deny that circumstances had occurred, calculated to afford a plausible ground to France for keeping up some military force on her frontier. Events had taken place, possibly without the concurrence or connivance of the Spanish government, which rendered such a measure of precaution, on the part of France, advisable. At the same time, it is quite clear that the proximity of such an army to the Spanish frontier, although the French might have a perfect right to maintain it in the position which they had chosen, was naturally and inevitably calculated to excite alarm, and to encourage dissensions in Spain; and therefore that it must have been considered by the Spanish government as a very serious evil. But, my lords, I speak in the presence of many noble individuals, who are too conversant with the affairs and practices of states, not to know that France, having a perfect right to keep up the army in question, if she thought proper to do so, and having determined, whether on sound or unsound principles of policy, is not now the subject of consideration, to exercise that right,—could not be expected to withdraw her troops, unless Spain herself should furnish her with some plea or reason for doing so. For, my lords, if we look at the situation of the government of Spain, we must also look at the situation of the government of France. We must look at the state of parties in France:—we must consider that the government of France is a limited monarchy, administered by responsible advisers, whose opinions and conduct must be in some degree influenced by popular feeling, and subject to popular control; and no one will I think say, that, under the existing circumstances, France could, in regard to her own honour, be expected to withdraw her army from the neighbourhood of the Pyrennees, unless the Spanish government would afford her some facility for so doing.

I know of no consideration on earth, my lords, that would have induced his majesty's government to recommend to the government of Spain, even in the most amicable manner whatever, to concede one tittle of their constitutional rights, or to give up one atom of their system which they conscientiously thought of importance to their liberty or safety. But, my lords, we well knew, as all the world well knew, not only that there were defects in the Spanish constitution, but that there was not a reasonable man in Spain, who was not perfectly ready to admit that some modifications of it were indispensable. We were also bound to take into our consideration the existence of civil war in Spain, and the various local agitations which convulsed the country, and rendered the Spanish a divided people. Our advice having been asked by the Spanish government, we thought it right likewise to consider, what were the means which Spain possessed to resist an immediate attack on the part of France, should such attack be made.—Now, my lords, although I believe that the means of ultimate resistance possessed by Spain are greater than those of any other country, yet it is clear, that as to immediate resistance, Spain, from a variety of causes, was in a great degree destitute of all the ordinary means of repelling an attack. We, therefore, felt that, although in the event of war, Spain might, as in the last contest, be ultimately successful, she could not expect to purchase that success without passing through sufferings of the severest nature. We felt that she must submit to see her best and fairest provinces overrun by the invading army, and her country pillaged and desolated—for such, sooner or later, must be the effect of the war, whatever declarations or proclamations may be issued by the generals of the invading army, with a view to prevent it. I have, therefore, no difficulty in distinctly avowing, that, although no consideration whatever should have induced me to recommend to Spain to concede one iota of what she might deem it materially important to herself to retain; yet I thought, that, if there were any point which the Spanish government themselves considered would hereafter be a fair subject of change or modification in their constitution, they might very beneficially do at once that which they were disposed to do some time hence; or, at least, that they might agree to some declaration that they would make such modification as soon as practicable. In the view which his majesty's government took of the subject, we were influenced by a regard to the interests of Spain—not, perhaps, as our first consideration (for undoubtedly our own interests must always predominate),—but still by what we conceived to be the best interests of Spain; and we thought that, under all the circumstances of the case, it might be suggested to Spain, without doing violence to her honour, or trenching on her independence, to act as I have described. Our recommendations were conveyed in the sincerest spirit of conciliation and amity; not by any means as demands, but as the intimation of friendly opinions, not subjecting the party to whom they were offered to any penalty if he did not listen to them; they were tendered as the well-meant advice of one ally to another, founded on the clearest view which we were able to take of the interests of that country. It was very satisfactory to his majesty's government, that, in a situation of so much difficulty, we had the advantage of the assistance of a noble individual, whose authority is of great weight in this country, and who must be regarded with the highest respect in every country in Europe, and more particularly in Spain. We felt that we could not do better than avail ourselves of the instrumentality of my noble friend to aid us on this important occasion. If ever any country has incurred the most valuable obligations to a single individual, Spain had incurred them to my noble friend. My noble friend knew Spain well. He had resided for several years in the country; he knew all the various parties; he knew all the prominent individuals to whom those parties were composed; he had had experience of the operation of the existing constitution, during the two years that he was conducting the tremendous conflict which he terminated so gloriously. It was well worth while, therefore, to try if the sentiments and influence of my noble friend might not be advantageously employed. He is the last man to recommend to any nation the slightest disgraceful concession. He is the last man to require from any country a step inconsistent with its honour, its character, and its dignity. It was most desirable, then, that my noble friend should bring under the view of the Spanish government his opinions on their actual situation and policy.

This, as your lordship will observe, occurred antecedently, not only to any invasion of Spain, but to any direct menace of invasion, or to any avowed decision, by the French government, that Spain should be invaded. For, if your lordships examine the papers on the table, you will find that, up to the middle of January, the Spanish government remained strongly impressed with the conviction that no immediate invasion of the Spanish territory was contemplated by France. In fact, it was only within a few days of the delivery of the king of France's speech to the French chambers, that I myself conceived there was any ground for believing that the immediate invasion of Spain would actually take place. Your lordships will see, by the papers on the table, that, until that period, his majesty's government had felt it their duty to represent to the Spanish government, the situation in which it appeared to them that Spain was placed; as well as their opinions as to the best means, under the existing circumstances, of averting the calamity of war; always with especial care that those representations should be in the spirit of friendship and suggestion, and in no case in that of injunction or dictation.

When the king of France made his speech to the French chambers, undoubtedly that occurrence caused a great alteration in the state of things. The first feeling of his majesty's government, on the perusal of the speech, was, that all hopes of accommodation were at an end. But it appears, as your lordships will see in the papers, that, even at that very period, the French government declared that their disposition to preserve peace with Spain was as ardent as ever, and that they were still desirous that the good offices of this country should be interposed, with a view to the accomplishment of that object. Even with respect to that particular passage in the king of France's speech, which gave such universal and such just offence in every country in which the principles of liberty are understood, and rightly appreciated—I mean the passage in which it was asserted, that all authority and liberty must necessarily emanate from the crown — even with respect to that passage, a disposition was manifested, on the part of the French government, only a few days after the speech was delivered, to qualify it, and explain its meaning in a sense very different from the natural interpretation of the words; and as different as possible from the meaning which had been actually and generally put upon them.

It was in this situation of things, your lordships will recollect, that, on the first day of the session, when the relative situation of France and Spain was adverted to, I stated that I did not consider the door as closed against all hope of the preservation of peace. For, most criminal indeed, would have been the minister, who, as long as a ray of hope remained, should have made any declaration having a tendency in the slightest degree to preclude the possibility of realising that hope. There certainly were moments when I was led to entertain some expectation,—not a very sanguine one, I confess, nor did I ever so describe it,—but some expectation, that circumstances affording an opening for conciliation might yet arise. That expectation I was led to entertain, in a great measure from the state of public opinion in that nation by the government of which it appeared that the war was about to be undertaken from the discussion which had taken place in their chambers, in which the war was opposed by a larger minority than ever opposed itself to a similar measure in the history of this country, without success. I knew that the sentiments and wishes of the commercial part of France pressed very heavily on the French government. I still, therefore, cherished a hope that means might yet be found to prevent a calamity, which it was the most anxious desire of his majesty's government to avert; and I still am of opinion, that if any opening had been offered by the Spanish government, however slight, the French government would have been compelled, even if not desirous, to avail themselves of it. Perhaps, such an opening could hardly be expected from Spain, after the king of of France's speech; but it was the duty of this government not to forego the chance of it. From the period of the king of France's speech, his majesty's government felt it to be their duty in this respect, not to urge any thing further upon the consideration of the Spanish government. But, as all the other powers of Europe had given up their diplomatic relations with Spain, we considered his majesty's minister, at the court of Madrid, to afford the only means of communication; and he was instructed to be the channel of any proposition which the French government might wish to make to that of Spain. All hope, however, arising from that mode of intercourse, eventually failed; and France Spain, and Europe, were thrown into the situation in which they now are placed.

I now come, my lords, to that which is by far the most material part of the subject, with which I have had to trouble you, namely, to consider what ought to be the policy of this country, under the peculiar circumstances in which we find ourselves placed—together with the reasons on which that policy is founded.

I have already stated on a former occasion that our policy is neutrality; and it is very material to remark, what the papers on your lordships table will prove, that, from the beginning to the end of these negotiations, and in every stage of the proceeding, his majesty's government distinctly avowed to Spain, though not so distinctly to other powers, that such was the determination of this government. Not only, my lords, did we distinctly avow to Spain that such was our policy, but it was so distinctly understood by the Spanish government. Our friendly interference was asked upon the understanding, that if our efforts were unsuccessful, we were to remain strictly neutral. There has been no ambiguity, therefore, nor misconception on that point. No delusion has been practised with respect to Spain. Whatever we have done, or whatever we have omitted to do, has been so done, and so omitted, on a complete understanding with Spain, that, in any result, we were not to depart from the principle of neutrality.

It may now be expected by your lordships, that I should state the reasons why his majesty's government consider neutrality to be the policy of this country; and I have no wish to abstain from that statement.

In considering the duty of this government, as to the alternative of neutrality or war, I am bound, in the first instance, to advert to our own domestic situation and policy. Now, my lords, I have no hesitation or difficulty in again declaring, what I stated on the first day of the session, that, if either the honour, or the essential interests of this country should require us to engage in war, we have the means of carrying on war with effect. I repeat this, my lords, not loosely or generally, from the persuasion which every true British subject must entertain, that a great country, like this, will always find the means of protecting itself, when its safety its interests, or its honour, are really endangered: but I say it, from the opportunities which my situation gives me of examining such a question in detail; and I aver, that if any circumstances should render it either necessary or advisable for this country to engage in war, I should feel no difficulty in finding the means to support it, without materially impairing any of the great sources of our prosperity.

But, my lords, when I say this, I must add, that after the unexampled contest which we waged for two and twenty years, from which we are just now recovering—a contest as unexampled in magnitude and extent as in its duration—after all the hardships and sufferings which, in consequence of our unparalleled exertions, the country has undergone;—it cannot be consistent with true wisdom or sound policy to replunge the country into all the evils and inconveniences of a new war, without a clear and obvious necessity, more particularly at a time when we find our commerce and manufactures, not only recovering from the depression which they more sensibly experienced on the conclusion of peace, than while hostilities were raging, but advancing to a degree of prosperity which they never before enjoyed; and when we find our agriculture the last interest to recover, because the last to suffer, beginning to revive from the difficulties and distress under which it has been labouring. I ask, if there is any rational man, my lords, who does not feel that, at such a moment, it is most desirable that this country should continue at peace, if peace can be preserved consistently with our honour, and consistently with our essential interests; and that we should not throw a great proportion of the advantages which we now enjoy into the hands of other countries; a result which must inevitably happen, if war, no matter under what circumstances, should unfortunately occur? I do not wish to state these advantages, my lords, for more than they are worth; but they are worth much, and ought to have their due weight upon your lordships minds.

But I say, secondly, that if we are to determine between neutrality and war, it is very desirable that we should consider next, what is the nature of the war in which we should have to embark, if such were to be our determination. Let it not be supposed by any one, that if we were to engage in a war in behalf of Spain, we should merely have to equip a fleet, to send a supply of arms and ammunition, and to afford a moderate subsidy. No, my lords, if we embark with Spain in this contest, we must embark as we embarked before, we must embark with all our power, and with all our means:

> "Toto certatum est corpore regni."

We must send an army to Spain, and the very first brigade that you land there, will bring the burthen of the whole Spanish war upon your shoulders. I am justified by experience in asserting, that the necessary expense of a war in Spain is four times as great as it would be in most other countries in Europe. Let your lordships recollect the events of the last war in Spain. Let your lordships recollect on whom the battles fell, on whom the sieges fell, by whom all the principal exertions of the war were borne. I mean not to undervalue the support and assistance we received from the Spaniards. I thought at the time, and I still believe, that in no other country of Europe, could we then have contended so effectually against France; but still we were the principals in the war, and so must we become again, if we decide to enter upon it.

To embark in this war *for* Spain, but not in Spain—to submit to most of the inconveniences of war, whilst we confine ourselves to a few maritime operations, which could afford the Spaniards no effectual assistance, would be childish, and would render us deservedly the ridicule of all Europe.

In the third place, my lords, we must look at the different situation of Spain in the year 1808 and now. In the last war, let it be recollected, we did not go to war in support of the Spanish revolution (if so it may be called), but that revolution found us engaged in war. In the last war in which we engaged in Spain, my lords, the cause of Spain was indeed important in itself, but it was not the end so much as the means of the contest. The end was the safety of Europe. Spain afforded the most advantageous stage on which to maintain the cause of Europe. It was in Spain that the battles of Europe were for some years principally fought; not for the sake of Spain alone, but for the sake of restoring the balance of power, and the liberties of Europe, of which Spain was an integral part. But what was then the state of Spain? She was a united country. From one end of Spain to the other—from the most northern point of the Asturias to the southernmost point of Andalusia—there was no difference of sentiment. There may have been individual traitors and dastards; the spirit of patriotism may have been more fervent and energetic in one province than in another: but I have a right to say, that the universal feeling was at that time embodied in favour of the cause, for which we lent our aid to Spain. I ask your lordships, would that be the case now? Spain is now a divided country:—not divided as countries are sometimes divided, when all the active spirits and enthusiasm are on one side, and only the quiescent parts of the population on the other; but divided with just as much enthusiasm and determination on the one side as on the other. There is at this moment a civil war in Spain; a war of the country against the towns; a war of the priests and the peasants against the lawyers, the merchants, and shop-keepers; a war in which the intelligence may be on one side, but in which it is evident that all the old stubborn prejudices are on the other. The fanaticism of liberty may be with the government, but the fanaticism of religion is with those who oppose that government. The question, therefore, which, in this divided state of Spain, we are called upon, my lords, to decide is, not whether we are prepared to embark in a war for the purpose of supporting the cause of all Spain against France; but whether we are prepared to engage in a war for the purpose of assisting one half of the Spanish people against the other half. So that, my lords, whether I look at the magnitude and extent of the contest itself, or consider the divided state of the country in which it must be carried on, I cannot think it possible you would hesitate as to what ought to be your decision.

Fourthly, I am desirous of adverting to a view of the subject, which may have some weight even with those who may be opposed to me. We all know that the war with Spain is by no means popular in France. It is not popular with the great mass of the people, nor with the commercial classes; it is not popular even with the army. I allow that it is perhaps too much to suppose that any war will not be in some degree popular with the army of the country that embarks in it; but this is a war in which the French army must and do feel that, whatever may be its result, little glory can be obtained by it. Now, my lords, does any man believe, that if this country were to take part in the war, the immediate effect would not be to change the whole feeling of the French nation with respect to it, and to render the war more or less popular among all classes of Frenchmen? My lords, the Spanish war, before three weeks had passed over our heads, would, in the feelings of every Frenchman, be merged in the English war. It must be so in the nature of things. This has been the effect in all similar cases. There have been many instances of this. Lesser interests will always merge in the larger. But there is one instance of a very remarkable nature, which I will beg leave to mention.

In the year 1739, the government of this country was forced, against their will and judgment, by the clamours of the people, into a war with Spain. The contest originated in the attempt of the Spanish government to enforce the right of search on the coast of Spanish America. So enthusiastic and general was the feeling at that time, that the two Houses of Parliament came to an unanimous resolution, that no peace should be made with Spain until the right of search was renounced by the Spanish government. It happened, however, that, in the course of a short time afterwards, we became involved in a war with France, on quite different grounds. That war was carried on for several years. What was the consequence? —the cause of the war with Spain was lost in it, and was totally forgotten; the pledge which the two Houses of Parliament had so rashly and imprudently entered into was totally forgotten also; and in the treaty by which that war was closed, not one word was said of the original subject of dispute, though parliament had solemnly declared that no peace should be concluded until that point was conceded by Spain. I state this, my lords, as an example of what would be—of what must be the case, if we were to engage in the present contest. No man, whatever may be his opinion as to the expediency of the measure, can doubt, that, the moment we went to war with France, the war between France and Spain, except as far as Spain might be the theatre of operations, would be forgotten, and that nobody would talk or think of any thing but the war between France and Great Britain.

But I know it has been said, my lords, that the menace of war, if it had been thrown out, might have prevented the aggression of France. I ask your lordships, would any man have seriously recommended that we should throw out such a menace, unless we were prepared, in the event of its proving ineffectual, to enforce it? Was it not necessary, then, that we should first determine that war would be politic, wise, and expedient, before we determined on throwing out any menace? Can any thing be conceived more unworthy, base, and humiliating, than to vent idle threats, and, when we find them disregarded, to turn round, and declin to realize them? Though menace might precede war, therefore, the policy of menace must be subservient to the policy of war, and we must decide eventually upon the latter, before we can have recourse to the former.

I have heard it further stated, that we may be ultimately compelled to go to war, and that it was therefore better not to forego so advantageous an opportunity. It has been said, that France may succeed in conquering Spain, and that she may then attack our ancient ally, Portugal; in which case, the interests and the honour of this country would oblige us to interpose—or that she may advance views of aggrandisement and ambition which we could not tolerate. I admit, my lords, that cases, affecting the interests and the honour of the country, may, by possibility, arise, which will compel us to go to war. But, in the first place, I say, that, under the present circumstances, the best way to secure that honour and those interests from being endangered, is to remain at peace. I have no difficulty in allowing that the consideration of what step it may be our ultimate duty to take, may become a very serious one. This, however, is a question which must be determined when the necessity shall arise. It may be wise to encounter a present danger, for the purpose of averting a greater danger in future; but this depends, not only on the comparative magnitude of the danger, but on the comparative prospect of immediate and ultimate success on the part of the power which, by its aggression against another state, occasions that danger. All the arguments for maintaining the balance of power are founded on that principle. With respect to the present case of the invasion of Spain by France, I firmly believe the undertaking of France to be absolutely impracticable, unless she is assisted by the greater portion of the Spanish people. If the object of France be unattainable, why should this country interfere? If France have the greater part of the population of Spain on her side, why should we contend against the wishes of so large a part of the Spanish people? Although, therefore, no man is more ready than myself to admit that the calls of national honour are the first which ought to be listened to, I deny that there are any such calls at present; and, that being the case, I again ask your lordships to consider whether the essential interests of the country will not be much better promoted by neutrality than by war?

No one who knows any thing of Spain can well doubt that the first operations of France must be successful. But may not her difficulties begin at the very time when, according to her own principles and expectations, they ought to end? Does it follow that the termination of the career of the French army in Spain must be as fortunate as the commencement may be? I do not say that it will be unfortunate; but I say that the result of the struggle must, in my opinion, very much depend upon the part which the people of Spain take in it. If the people of Spain entertain the same hostility towards foreign invaders, and towards the French in particular, as they did in the late war, I can see no chance of the ultimate success of France. If, on the other hand, the sentiments of the Spaniards are changed in that respect—if they hate the constitution of the cortes more than they hate the invading armies, that circumstance would afford the strongest prudential reasons against any active interference on the part of this country. There are events, my lords, which, undoubtedly, may render our active interference necessary. Of course, I cannot foresee what the contingencies of the war may be. The French, it may be said, will ultimately attack Portugal. All that I can say, in answer, is, that his majesty's government have hitherto received the most direct and positive assurances from France, that she meditates no attack upon Portugal, while Portugal maintains her neutrality; and your lordships will find, in the last communication of the French government, that his majesty is relieved, as far as assurances can relieve him, from any apprehension of being called upon to fulfil the obligations of that intimate defensive connection, which has so long subsisted between the Crowns of Great Britain and Portugal.

If this country, my lords, really wishes to maintain peace, and to avoid war, I ask why she should be induced now to enter into the contest between France and Spain, in which France, most unfortunately for Europe, has engaged, because events may occur, to render war necessary, when it must be admitted by every one, that the occurrence of such events is at least uncertain, and when it is contended by others, that, according to all common probabilities, the events in question are never likely to arise?

I assume, then, that our policy is neutrality. If our policy is neutrality, I hope that we shall be honest enough to make our neutrality effective. No man can say when circumstances, not at present existing, may arise, which may render it advisable for England to assume a different attitude. It will be open to those who may have the direction of his majesty's councils—it will be open to parliament, if a case fairly demanding interference should occur, to recommend and to take such steps as may be necessary to secure the safety and honour of the country. But, until we are forced to a determination of that nature,—until we draw the sword, and throw away the scabbard,—until we do decide that the policy of Great Britain is war, I trust that our neutrality will be real. If the justice of this be admitted as a general principle, and in ordinary cases, this country is especially bound to take care that its neutrality shall always be fair, honest, and effective; for never was there a country which had more abundant and frequent reason to complain of the faithless and hollow neutrality of other countries, than Great Britain. There has not recently been a war in which we have been engaged, in which we have not had to maintain a contest with professed neutrals, as well as with professed belligerents. Having ourselves suffered so much in this respect, and having, very properly, held high language to these aggressors in disguise, I trust that we shall be ready "to do unto others "as we would they should do unto us;" and that in this, as well as in any other contest between the powers of Europe, to which we may not be parties, we shall set the example of a strict, impartial, and undeviating neutrality.

My lords, I thank you for the attention with which you have done me the honour to listen to the details that I have thought it my duty to submit to you. I shall merely move that the titles of the papers which I now lay on your lordships' table be read. In the course of a few hours they may be in the hands of every noble lord, who will then have the opportunity of considering what line of conduct he may think proper to adopt. As I have already stated, in reply to a question from a noble earl, it is not my intention to call for any expression of opinion on the part of your lordships; but it has been the anxious wish of my colleagues and of myself, that the whole course of the recent transactions should be laid before parliament, with a view that, after the most deliberate consideration and after the most minute examination of the papers on the table, they may judge how far his majesty's ministers have done their duty to Europe,—have done their duty to France—have done their duty to Spain, and, above all, have discharged that which must be their principal care—their duty to the king, and to the people of this united empire.

Earl *Grey* said, that the noble earl had referred to the complaint which he had made on a former evening, as to the course of proceeding which he proposed to follow on the present occasion; but, from nothing which he had just heard, was he induced to alter the opinion he then expressed. On the contrary, what he had then anticipated had now taken place, and he must be under the necessity, either of allowing the noble earl's statements to go forth to the public without objecting to the views of policy founded on them, or of entering on a discussion without having seen the documents which the noble earl had in his possession, and of which the House knew nothing but from the statement of the noble earl. Under these circumstances he felt much embarrassed. Impossible as it was to enter into the discussion of the various topics on which the noble earl had touched, he still felt it impossible to suffer it to pass without testifying his dissent to its general tenor. The noble earl had clearly told the House, that he had failed in averting a war most dangerous to Europe; and, from the noble earl's statement, he appeared to have failed, in a great degree, from not having persevered in the direct and manly policy which had always governed our ancestors. The noble earl had most justly characterized the attack upon Spain, as an attack not justified by any thing which Spain had done; as iniquitous in its principle; and, as he admitted, dangerous to the power that made it. And, not only so, but—as the noble earl had not stated—if successful it struck at the foundation of the system on which the independence of Europe rested, and was highly dangerous to the honour and interests of this country, by transferring to France, in peace, that influence in the affairs of Spain, which by protracted wars, and great sacrifices of blood and treasure, we had long laboured to prevent. Such was the character of the war which had now broken out between France and Spain, in defiance of our efforts. That these results could have been produced without great misconduct on the part of his majesty's ministers, he could not believe. In his humble opinion, if a different policy had been adopted, we should have experienced at this moment a different result. If, instead of that policy, that bold and decisive tone had been adopted at Verona, which the great interests at stake required—if we had spoken out boldly against that act of violence which had now been perpetrated, and declared our intention to resist it with all our power, he believed we should be placed in a very different situation from that in which we now stood, and Europe would not have to dread the fatal consequences of this war. He was himself convinced, and so was every man with whom he had conversed on the subject, that Spain would at this moment have been secure. She would have proceeded as she had done hitherto, calmly and deliberately, to mature and perfect her institutions, and to amend those defects of which the noble earl complained. But, it was impossible for a country not deaf to the calls of honour, to submit to the arbitrary dictation of foreign powers. Let it not be imagined that he would have counselled the use of any threat, if he had not been prepared to put it in practice. No such language would he have held, unless with the firm intention of acting upon it. He firmly believed, that, if the threat had been made, a war would have been avoided. But, even if war had followed, it would have been more honourable for us, and carried on with better prospects of success than any we could now entertain, if we should be ultimately forced into a war. He begged the House to believe that there was no man more desirous of peace than the humble individual who was then addressing them. He knew it was the interest of this and of every country to be at peace; and if ever it was more peculiarly desirable for this country to remain at peace, it was now, after the long and painful exertions which we had made in order to repair those resources of which we had been so largely drained. But in this, as in all other questions of war and peace, the dangers of war were to be balanced against the dangers of peace; and, if it could be shown that the balance and security of Europe were on the point of being endangered, the evil was incurred, and a great nation must then appeal to arms.—He had only stated this generally, because it was impossible for him to follow the noble earl through all the details of the subject; and on the other hand, it was impossible for him not to express his dissent from the noble earl's general principles. This was a war, not undertaken by France for any offence committed on the part of Spain, but solely upon the principle, that France had a right to interfere; and upon this ground measures were pursued which might have the effect of subjugating Spain to the dominion of France, and which would, at the same time, compromise the best interests of this country. No man was more anxious than he was that the affair should be terminated by negotiation; but he felt bound to look forward to what ulterior course it would be necessary to adopt, in the event of negotiation proving unavailing; and doing so, he must contend, that if this country was not prepared to acknowledge that war could in no case be justified, she was bound to assert those great principles of conduct upon which her honour and credit and greatness so materially depended. He had, at present, nothing further to offer. It had not been his intention to answer the noble earl; but thus much of an answer to that noble lord, he could not forbear from offering, in order that he might rescue himself from all imputation of having, for one instant, hesitated upon the course which this country was called on to pursue, in a matter wherein her interests were more vitally concerned, than in almost any other which had of late years come under their lordships observation. Their lordships, however, would undoubtedly enter into a discussion of the whole of this question, and of all the circumstances arising out of it. An opportunity for doing so would speedily occur; and he hoped that the discussion would then be brought forward by some one more capable than he was of conducting it. To him it certainly did appear, that the views of the noble earl had been as mistaken on this subject, as he thought them dangerous to the interests, the honour, and the character of the country. When the discussion to which he had alluded should take place, it would be time for him to enter more at large upon this topic; but, even upon the statement of the noble earl, in all probability further information would be requisite, for the full explanation of the conduct that had been pursued by his majesty's ministers. At present it was not necessary that he should say more, than that he sincerely regretted to find, from the statement of the noble earl, that that course of policy had not been pursued by this government, which the interests, the essential interests (to borrow a phrase from the noble earl) of this country so emphatically and imperatively required.

Lord *King* said, that the whole course of the negotiation had been just such as might have been anticipated. It displayed throughout that weakness and indecision of character, which were naturally to be expected from his majesty's ministers; and the result of all this was, that the policy of England was to be a strict neutrality! The noble earl opposite had told their lordships, that, up to the very last moment, he could not prevail upon himself to believe that it was the determination of France to make war upon Spain. This was, in his view of the case, rather curious. He had once heard of a man who declared, that he had found it impossible to stultify himself. But the noble earl opposite appeared to have felt no such difficulty; as he had publicly avowed that he had been able to dupify himself, if he might be allowed to use such an expression.

HOUSE OF COMMONS.

Monday, April 14.

NEGOTIATIONS RELATIVE TO SPAIN.] Mr. Secretary Canning appeared at the bar. Being called upon by the Speaker, he said he held in his hand Papers, which he was commanded by his Majesty to present to the House. The said Papers being accordingly brought up,

Mr. Secretary *Canning* rose. He said, that in moving that their titles be read, he should, with the permission of the House, take advantage of the opportunity afforded by that formal motion, to redeem the pledge which he had given some weeks ago, by stating succinctly the course of conduct which had been pursued by his majesty's government, and the principles by which that conduct had been guided, in the important and complicated transactions to which the documents referred. In doing so, he felt that he was discharging a duty as awfully important as could at any time devolve upon the servant of a great monarchy and the minister of a free people. He was to account to the representatives of that people, for the manner in which the honour of the Crown had been upheld, and the interests of the country consulted, in a crisis of perhaps unexampled difficulty, and of which the consequences were yet unascertained. He mentioned this last consideration, because it was impossible not to be sensible, how much it added to the arduous nature of the task imposed upon him. If, indeed, the complete issue of all that had been recently passing had been known, it would be necessary only to shape the explanation and defence to that issue so ascertained; but he felt that the present state of the affairs of the world was of such unexampled magnitude and difficulty, that what had been the course of conduct pursued by the British government would be judged not only in reference to any one definite issue, but in reference to all imaginable possibilities and to all anticipated dangers. In a case so complicated, and dealing with considerations so important, there could exist but one consciousness to sustain any man in the onerous situation in which he was placed—it was that of having pursued, throughout the whole series of transactions, one intelligible object, one invariable principle. The object which the king's government had had constantly in view, was the preservation of the peace of the world: the principle by which they had been guided in the pursuit of that object, had been clearly stated on a former day by an hon. and learned friend (sir J. Mackintosh) whom he was grieved not to see upon the benches opposite. He meant, respect for the faith of treaties—respect for the independence of nations—respect for that established line of policy known by the name of "the balance of power," in Europe—and last and not least, respect for the honour and interests of this country.

Before he proceeded to the narrative of the course of these transactions, he would take the liberty shortly to recall the recollection of the House to what was the state of Europe, and of this kingdom in relation to it, in the month of September last, when those transactions originated. There was at that date pending a meeting of the sovereigns of Europe, or rather a meeting of some of the leading sovereigns of Europe, such as had occurred on two or three previous occasions, to consult generally on their affairs, and specifically on the preservation of peace. About that time he had had the honour of receiving the seals of the office he now filled. It was not with the intention of separating himself in any degree from those who preceded him in it, nor with the desire of claiming to himself any merit that belonged to them, that he now felt himself called upon to repeat what he had stated on a former day, and what had been much misunderstood—narrowed by some, and extended by others—that, applicable to the considerations on which the congress was to be employed, he had found in the records of his office (and it was also in the records of the country, and known to all the world) a state paper, laying down the principle of non-interference, with all the qualifications properly belonging to it. When, therefore, with whatever degree of courtesy, it had been ascribed to him, that he had applied new principles to a new case, he had thought it but just to remind the House of a fact, of which it was indeed already in possession. The principle of non-interference with the independence of foreign states was laid down in the document to which he alluded, as broadly, clearly, and definitively, as it was possible for any statesman to wish to lay it down.

Having said thus much, he should perhaps surprise the House, when he stated, that in going to the congress of Verona it was not in contemplation, that that question which turned out to be the most important topic agitated at that meeting—he meant the case of Spain—would be the immediate object of the assembly. So much so, that the House would find among the papers now submitted, that the very first number, being a dispatch from the duke of Wellington, on his arrival at Paris, showed that his grace had been under the necessity of asking for instructions respecting the case of Spain. The matter of which it was expected that the congress would take cognisance, and to which the preparation of instructions had been particularly directed was, the state of affairs in the east of Europe, and the complicated transactions between Russia and Turkey. It was only on his arrival in Paris, that the duke of Wellington found that the affairs of Spain were likely to occupy a most important place in the deliberations of the congress at Verona. He accordingly, as had been mentioned, applied to him (Mr. Canning) for specific instructions on this point; and in reference to them he would in this, and only in one other instance, refer to the papers about to be laid upon the table. The requisition of the duke of Wellington—(who left London, as far as he (Mr. C.) recollected, within about 48 hours after he had accepted the seals of the foreign office)—was dated from Paris on the 21st of Sept., and the instructions transmitted in consequence were in the following terms:—"If there be a determined project to interfere by force or by menace in the present struggle in Spain, so convinced are his majesty's government of the uselessness and danger of any such interference, so objectionable does it appear to them in principle, as well as utterly impracticable in execution, that when the necessity arises, or (I would rather say) when the opportunity offers, I am to instruct your grace at once frankly and peremptorily to declare that, to any such interference, come what may, his majesty will not be party." With such instructions the duke of Wellington left Paris for Verona. The House would see, that the instructions did not go into much detail, nor did they admit any qualification; they were positive and peremptory; and from them the duke of Wellington for one moment had never swerved. In making this statement, he incidentally met an objection that had been put with great force as well as ingenuity by an hon. gentleman opposite on a former night; viz. that if England went to congress with a view to discuss the affairs of Spain, England ought to have taken care that Spain was a party to that congress. The hon. gentleman and the House would, however, see, that England went, in the first instance, with no expectation that a prominent part in the deliberations would belong to the affairs of Spain. From the moment it was known that they would be so brought forward, the course of instruction to the British plenipotentiary had been distinct, positive, and peremptory, not to be party to any discussions, or rather to the issue of any discussions, if that issue were hostile measures against Spain. So far was the British government from any expectation that a proposition of a nature hostile to Spain would be made by France, that there was every previous reason for believing that France would be the last quarter from which it would come. It was not among the documents to be laid on the table, nor was it of a sort that it could be laid there; but it was in the memory of every body—it was among the papers published all over Europe—and was therefore a matter *publici juris*, that the king of France, on the 5th June 1822, declared, in allusion to the force he had stationed on his Pyrenean frontier, that the precaution thus adopted had kept contagion from his provinces, although it had ravaged a great part of Spain; that with the same object only he meant to maintain the forces he had stationed; and that nothing but *malveillance*—nothing but ill-will and calumny—could find a pretext for giving this precautionary measure a different purpose. Such, undoubtedly, was the distinct statement in the last document France had issued with relation to the affairs of Spain; and he mentioned it now, not with a view of inculpation, or for the sake of drawing inferences of an unfavourable nature, but to account for the fact, that the instructions of the British government were not, in the first instance, framed with a view to meet hostile propositions with respect to Spain, on the part of the French government. It was but just to state, that when the congress of Verona met, and when the propositions of the French government regarding Spain were brought forward, they were not directed to a hostile object — they were in their nature purely defensive, conditional, and hypothetical. They did not then call for the assistance of the allies to bring half Europe into the field against Spain: the French plenipotentiary contented himself with asking merely, what would be the conduct of the allies in given cases, which cases all presupposed some active offence, in the first instance, on the part of Spain. To these propositions, or, more correctly speaking, to these inquiries, answers were given on the part of three of the continental powers, professing their readiness to countenance, and if necessary to support, France in the so specified cases, contingent and precautionary, but not in their nature offensive. But to these propositions, however limited, the British plenipotentiary gave no such answer: in the replies of the three other states, however cautious and conditional, he did not concur. He said that he was precluded from entering into any hypothetical engagement, which might commit his country, in cases unforeseen, and to an extent not to be calculated. He demanded, before he was called upon to give even a hypothetical concurrence to a hypothetical promise in a hypothetical case, that he should be informed, distinctly and practically, what offence Spain had actually given to France, and what were the grounds of future offence anticipated by France. He absolutely refused to give the smallest countenance to the imagination of a case, on which, should it occur, he might be called upon to pledge his government to eventual co-operation and concert. The congress of Verona, during the weeks of its sitting, discussed the question in all its bearings; but the language of the duke of Wellington had been the same on the last day of meeting as on the first—a positive refusal to concur in any such measure—a positive refusal to give any answer to the inquiries of France—a positive refusal to have any thing to do with interference, by force or menace, in the internal affairs of Spain. When, at the conclusion of the congress, the three great continental powers had agreed with France to transmit to their ministers at Madrid several dispatches, remonstrating with Spain on the state of her institutions, and calling for changes in them as the price of their continued friendship and forbearance, the British plenipotentiary declined any participation in that proceeding, and declared, on the part of his sovereign, that all he could do would be to continue his minister at Madrid when the others were withdrawn, in the hope of abating the irritation such a hostile measure must occasion, and of preventing the evil by friendly counsel and assistance.

So broke up the congress at Verona. The plenipotentiary of France left it to return to Paris, to consider what step his government would take more in advance than the rest of the continental allies: the plenipotentiaries of the continental allies, to prepare their dispatches for Madrid, which would not form a part of the papers upon the table, because they were not at all within the jurisdiction of this country, although they were well known, having been printed in all the gazettes of Europe: the British plenipotentiary, to renew at Paris the remonstrances he had ineffectually made at Verona, and, in the last resort, to report to his government his disappointment, if disappointment it should be, in order that to the minister at Madrid instructions might be sent to disavow, on the part of this country, any participation in these proceedings; but at the same time to advise, and strenuously implore, that the slightest excess might be studiously avoided, which could retrospectively justify, or prospectively encourage, the war threatened by France. The duke of Wellington returned to Paris about the beginning of December. The French government, far from being found in a more warlike disposition, were, on the contrary, whether on reconsideration or from what other motive did not belong to him to speculate, inclined to maintain peace. The British plenipotentiary found the French ministry disposed to send back to Verona, at least to the sovereigns who had not then actually quitted that city, the dispatches prepared for Madrid, and to entreat them to reconsider the contents of those dispatches, and the impropriety of the time for sending them. Such was the first report received from the duke of Wellington. Up to this period, no communication whatever had taken place between this country and Spain, on the subject of what was passing at Verona; and he would shortly explain to the House why no such intercourse had occurred. Hon. gentlemen might remember, that towards the end of the last session of parliament the clamour, the just clamour, and complaint in this country had been raised, respecting the state of our commercial navigation in the West Indies. Pirate-vessels, some bearing the flag of the independent but unacknowledged colonies of Spain, and others of Spain herself, had committed the most grievous depredations on British trade, to an enormous amount, and attended with circumstances of such violence and cruelty, as to call for national interposition. He (Mr. C.) recollected these matters well; because it had been his duty, as the representative of a great commercial town, to bring forward the case in that House, and to remonstrate against what was considered the supineness, or at least the forbearance, with which the strength of this country had been withheld from the assertion of its own rights and interests; those rights having been shamefully abused, and those interests seriously injured. Not long, therefore, after parliament rose, it had been thought necessary by the British government to send orders, and therewith an armament, to the West Indies, to take into our own hands that redress which had been in vain sought by representation and remonstrance at Madrid. Orders were given to the commander, in the event of the owners of pirate vessels continuing to find refuge on the shores of Cuba, that, after first communicating with the Spanish governor of the island, and asking his assistance—if assistance he could give—then conjointly, or, upon his refusal, separately, to effect a landing in Cuba, to root out the nest of marauders that infested those seas and impeded our commerce and navigation. In giving these orders, and in taking this step, he hoped it was unnecessary to say, that the British government had thought it right to communicate the course it had pursued to the cabinet at Madrid. But this was not at all. About the same time, pretensions were revived by commanders on the Spanish main, pretensions utterly obsolete, waved and forgotten for many years, to declare constructive blockades of the whole coast of what was Spanish America, and to capture all trading vessels that should presume to violate these blockades. Many instances, recent and flagrant, had occurred, in which the laws of these blockades had been rigorously carried into execution, and outrages of the same sort had been continued, more or less, for many preceding years. Almost from the year 1815, there had been a series of unanswered representations of unredressed grievance preferred to the court of Madrid, which it was at length thought expedient, avoiding if possible angry discussion, to bring directly to a point. That justice was on the side of the British complaints might be inferred from the circumstance, that after negotiation redress was finally accorded; and that the amount of the grievance was not small, might be gathered from the sum the Spanish government itself appropriated to the liquidation of the claim, being about half a million sterling. This did not amount to the whole of the demand; but it showed, at least, the estimate of Spain, as to what might turn out to be just. The business on which sir W. A'Court, our minister at Madrid, was first employed there was in the making these remonstrances, and in urging—successfully urging—the redress it was necessary to afford. He was to communicate to the Spanish government; first, the instructions with regard to Cuba; and secondly, the further fact, that the armament had been sent to the West Indies, with orders to make reprisals if our maritime rights should not be observed. Redress was promised on the part of Spain, and instructions were accordingly sent out to sir John Owen. Remonstrance having been once made, redress once claimed, and satisfaction accorded, no hostile feeling could possibly remain on the part of this country. But the House would see, that it was not in the midst of negotiations like these, that it would have been either delicate or proper towards Spain to have entered into discussions, or rather to have made declarations, of the part Great Britain was taking on behalf of European Spain. This country had pursued two courses of action: on the one hand, it had claimed of Spain redress for injuries inflicted by her South American colonies; and on the other, she had defended Spain against an invasion by European powers. The British government well knew, that a time must come when a disclosure of the latter course might be made to the ministry at Madrid; and by a coincidence in point of time, it was at the close of the congress at Verona, that our negotiations for redress had been brought to a favourable conclusion.

He would now take the liberty of drawing the attention of the House to one particular circumstance. He had seen in various quarters, and had heard from different persons, that some offence had been given to Spain by sending sir W. A'Court to represent his majesty at Madrid. It happened, whimsically enough, that about the time when sir W. A'Court's name was thus brought forward with obloquy in this country—not about the time he set off for Madrid, for he had proceeded thither long before his (Mr. C.'s) appointment, and he had nothing more than the slightest personal acquaintance with him,—about the time when sir W. A'Court's appointment to Spain was represented as the greatest grievance to that country, the ministers of the three allied powers called upon him (Mr. Canning) in Downing-street, to make representations against sending him out, as giving countenance to Spain. It was somewhat difficult to steer between these two difficulties: but the answer to the ministers was very short and simple—that sir W. A'Court was gone—that there he was, and there he must remain. Undoubtedly, he could well believe, that the course of negotiation in which sir W. A'Court was first employed—that of an obdurate and pressing creditor, calling up obsolete demands, and enforcing a speedy settlement—could not tend to make him very popular with the Spanish government, which was every day suffering under his applications; while that government was not yet aware of the course Great Britain had pursued in the European negotiations. It might be very readily imagined, that sir W. A'Court might have made an impression in the Spanish capital, unfavourable to his official, but not to his personal character. As soon as the general understanding, that no interference in the affairs of Spain should take place was abandoned—as soon, in short, as it was clear, that the issue of the negotiations at Verona must become publicly known—so soon, communication was made to Madrid of the line this country had pursued in those negotiations. It was then unequivocally shown, that while sir W. A'Court had been employed in this obdurate and unpopular character, the British government, through their plenipotentiary at Verona, had been anxiously engaged in securing the national independence of Spain. From that time, the feeling with respect to sir W. A'Court at Madrid was completely changed. Before this disclosure of the discussions at Verona was made to Spain—while she was yet uncertain what steps had been taken at congress—an application was made on the part of the Spanish government; first, to ascertain what the precise course of negotiations had been; and next, to interest this country to employ her good offices for the maintenance of peace. In making this application, which, being in writing, formed part of the papers on the table, pains were distinctly taken to make it appear, that the good offices she asked were not inconsistent with the most strictly-conceived system of neutrality. She asked counsel and mediation—that Great Britain should offer her advice to one friend, on behalf of another. Spain required no proceeding that could trench upon our neutrality; but rather, such a course as would entitle the power intervening, to the thanks of France, as well as to the gratitude of Spain. Upon receiving this application, his majesty's government hesitated not a moment to write to the duke of Wellington, then expected at Paris, and to direct his grace to offer to the French government the mediation of Great Britain for the amicable settlement of the disputes with Spain. The French government, after some negotiation, declined the offer thus made; stating as the reason, that the grounds of difference between France and Spain were not grounds of that distinct and definite kind, that admitted of exact specification and practical adjustment; that they grew out of the state of things in which the two kingdoms found themselves; and out of the influence which what was passing in Spain had upon the internal tranquillity of his most Christian majesty's dominions: that the two nations had, in fact, got into such a condition towards each other of reciprocal jealousy and irritation that rather than submit to all the inconveniences of such a situation, war would be the preferable alternative, as affording at least some ultimate solution. It seemed to the British government, that the position of affairs admitted of a reciprocation of good offices; and both at Madrid and Paris, a course of interposition would have been pursued which might have rendered war unnecessary. He (Mr. C.) admitted, that here was a case in which it might have been quite usual to say to both parties, that without something more specific on either side, some sensible and tangible cause of complaint—some exact claim of redress on the part of the country supposed to be aggrieved—it would be better for Great Britain not to interfere; that she had done all that she thought she could do with each party; and that, as her efforts had been attended hitherto with no success, she begged leave to withdraw from further interposition. Such a course was quite open to the British government; but, as every thing that was stated on both sides was accompanied with the most solemn assurance of a pacific disposition; and as the British ministry did entertain—what from that moment to the present it had never ceased to feel — an alarm beyond any former occasion of the danger of war, not only to Spain but to France, and through France to Europe, it became a question very material to be debated, whether, while there remained the slightest chance of success, it was not our duty to make a further effort, being the only power through whom it was possible that the effort should be made.

It was, therefore, determined to ascertain what might yet be done; and there was this advantage in the present situation of affairs, as compared with the state of Europe at the opening of the congress of Verona—that questions were now reduced to the differences between France and Spain. The dispatches from the three continental powers had been sent; and their ministers had been withdrawn: the cases foreseen at Verona, in which alone the powers were bound to interpose on behalf of France, had none of them occurred. It was a matter, therefore, merely between France and Spain; and it was for this country to decide, whether it would or would not take a step which might prevent the occurrence of war; but which could not widen the breach and increase the danger. Under these circumstances, his majesty's ministers determined to interpose their good offices on behalf of Spain; and their anxiety, in so interposing, was to distinguish their conduct, not only from that which the continental powers in their several dispatches had displayed towards Spain—not only from that which France, in the speech of her minister, had likewise declared her determination to pursue; but to distinguish it also, by the channel through which it was made, from every species of interference that was not made upon the most friendly terms. The channel through which it was made was the duke of Wellington. That illustrious individual—if ever man did earn it from a foreign state—had earned from Spain the right to be considered as her friend. For years he had sustained her liberties in the field, and ultimately had rendered them triumphant over every difficulty. In his diplomatic character, too, he had recently asserted the same principles in her behalf, which he had formerly had occasion to vindicate for her in the field; and that independence, which he had once conquered for her by his sword, he had latterly endeavoured to preserve to her by his negotiations. If ever there was an individual that was entitled to deliver his opinions to a foreign nation, without any suspicion being entertained of the purity of his motives, it was the individual who had performed such services, and who, in consequence, had been incorporated as well by gratitude as adoption, among the benefactors of the Spanish nation. The opinions which that distinguished character offered to the consideration of the Spaniards, were opinions which his private friends were aware that he had long entertained; and they were offered to them in a way that took from them every appearance of arrogance and insult. It was through the medium of a confidential friend, who had formerly been his companion in arms in the Peninsula, and afterwards his assistant in the deliberations at Verona, that the opinions of the duke of Wellington were stated in Madrid in terms which, though they were not put together with all the finesse of diplomacy, still expressed his meaning in the most frank and explicit manner. It was after Spain had asked for the interference of the British government, and had obtained it on the express stipulation that its interposition was not to be considered as inconsistent with the most strict neutrality—it was after France had stated, that it was through the good offices of the British government that she looked for any thing like an accommodation of her differences with Spain—it was whilst the British government entertained a sincere belief that its interference would lead to a pacific and not to a hostile issue—it was under such circumstances, that the duke of Wellington, not declaring either this or that mode of conciliation to be the price at which the friendship of England was to be purchased, but echoing, as he supposed, the opinions of a great majority of the Spanish nation, addressed himself, through the medium of lord Fitzroy Somerset, his confidential friend, to those who swayed the destinies of Spain, and left them to accept or reject his advice as they in their wisdom should think proper to determine. Looking at this transaction three months after its occurrence, and with a knowledge of every thing which had since occurred, he did not know exactly how he should decide, supposing the question were now put to him whether he should try this chance again, or throw it away as undeserving of attention; but this he did know, that, supposing he had decided not to avail himself of this chance, and war had then ensued, he should have found a difficulty in justifying himself to the world for not trying one means of averting it, which, if used, might have perhaps rescued Europe from the calamities in which it was now going to be plunged, and of which no man could foresee the extent, or limit the duration.

Having made these observations, he would now proceed with his details. Lord Fitzroy Somerset quitted this country, as the bearer of a confidential communication to the Spanish government from the duke of Wellington, about the first week in January. Before he proceeded farther, he wished to remind the House that the application which was made from Spain for the interference of the British government was made early in the month of November; that the offer of our mediation, which was made to France in the month of September, was not finally rejected till some time in the ensuing November; and that a correspondence of some length took place upon the subject; into the particulars of which he should not then enter, for this plain reason—that the whole of them were to be found in the papers which he was directed by his majesty to lay upon the table of the

House. He must now proceed to state, that not many weeks after lord Fitzroy Somerset had set out for Spain, an event occurred, which, he must confess, shook very strongly his hopes of bringing about any accommodation between the governments of France and of Spain—he alluded to the extraordinary speech with which the French ministers thought proper to open the chambers. Of the construction to which the words of that speech were liable, and which indeed they most naturally bore, there was not a man in the House who thought with more disgust and abhorrence than he did. If that speech were to be understood as the plain meaning of the words in which it was couched naturally suggested; namely, that the Spanish people were to be called upon to consent to certain modifications in their constitution—not because it was faulty in itself—not because it contained particulars which rendered it dangerous to neighbouring states, and unsafe even to the prince who ruled by it—but because it was not an emanation from the Crown—it was clear, on the one hand, that no Spaniard, who had the slightest regard to the independence of his country, could consent either to modify, or to hear a modification proposed of that constitution; and, on the other, that no British statesman, who valued his character as a member of a free state, could either think, or hear of his country being made a party to negotiations for the purpose of discussing such monstrous proposals. Not a week, no, not even a day, was lost in conveying to France the expression of these sentiments on the part of the British government; and in telling her, that if such was the meaning of the speech in question, there was an end to all further negotiations, at least through a British channel—that British intervention must be considered as closed—that the principle avowed, was one which a British statesman could not acknowledge—that it struck directly at the root of the British constitution—and that as it could not be accepted as part of the British code of law, it could not be recommended by a British statesman to the acceptance of any other. The ministers of France were likewise told, as Great Britain did not put forward her own political institutions as the model on which those of other states were to be framed, or as the only system from which national freedom and happiness could flow, so neither could she allow France to make her own example a rule for other nations, much less to force that example upon Spain, in virtue of the consanguinity of the reigning dynasties of the two countries. It was however added, that if this construction were disavowed, the negotiations might still continue. The French government, it was only right to state, did subsequently disavow this obnoxious construction, and adopted another, which, he was free to confess, the words were not altogether qualified to bear. The negotiations in consequence proceeded; and it was at this period that ministers, when interrogated on the subject in parliament, had felt themselves bound to declare, that they had considerable hopes of bringing them to a successful termination: for, however extraordinary it might appear, it was nevertheless strictly true, that when the speech of the king of France was communicated to him (Mr. C.) by the French Chargé d'Affaires in this country, it was accompanied by a more profuse communication of the desires of the French government for accommodation, and by a more profuse declaration of their wishes for the good services of the British government, in producing that accommodation, than had ever been made at any previous stage of the transactions. It was not surprising that the effect which the French government had anticipated had been produced upon the British government by the communications which they then made to it; but it was surprising, that the French government, by some strange and unaccountable delusion, and in spite of all the remonstrances which his majesty's ministers had made to them on the subject, should have ever thought, and indeed should still continue to think, that in publishing the document which they had done, they had hit a chord which could not fail to vibrate at Madrid, and that they had put forward a specific which could not fail to cure all the evils which prevailed within its meridian. The thing itself was so strange and singular, that the House would be inclined to think it either a fable or an invention of his own, if the proofs of it were not to be found in the papers which he was now ordered to submit to the House.

He must now state to the House, that while these communications were passing between Paris and Madrid, a new application was received from the Spanish government (which the House would find in the papers), calling for a more active employment of the good services of this country, in producing an accommodation with France. If his majesty's ministers had previously entertained any doubt of the line of conduct which they ought to pursue, that application would have decided them: for, under such circumstances, had they declined to continue their interposition, they would have appeared to be setting their own private feelings in opposition to the judgment of those who still thought their interposition worth having. The interposition was therefore continued; but from that time forth the British government took no active part in the transactions. No second instructions were sent out to lord Fitzroy Somerset, who, in consequence, left Madrid. Sir W. A'Court being three days nearer to Paris, and the duplication of three days in the conveyance and return of the correspondence causing the delay of a week, was left to conduct the intercourse of the two parties; and all that remained for him to do was to state to each party the proposals and answers of the other. The result of these communications, though it was not more than might be calculated upon from the premises he had stated, was a total failure; and he took an opportunity of frankly stating that fact to the House. Nothing then remained for the British government to do, but to state fairly to each party the line of conduct which Great Britain was determined to pursue, in a state of things so deplorable for the tranquillity of Europe, and to explain to them the course of policy which she thought most consistent with her own welfare, as well as with that of both the contending nations. He begged the House to be assured, that there never had been a moment, from the beginning of our interference on behalf of Spain at the congress of Verona, down to the time at which he was then speaking, during which the Spanish government had been led to believe, that the course of policy which Great Britain would pursue, in case a war should unfortunately break out between France and Spain, would be any other than that of strict neutrality. No hope was ever held out to it, from which an inference to the contrary could be possibly deduced. Nothing was ever said on which a doubt of the intentions of England could be suffered to hang. From the beginning to the end of these transactions, it was regularly stated to the Spanish government, that we would do all that we could, in any way, and by any means, to avert a war; but that, if war should unfortunately ensue, it was not to be supposed that our anxiety to avert it, was to be considered as the measure of our determination to take part in it, when commenced. To France, such a declaration had not been made, and hon. members, on reading the papers, would see that it was not necessary; for, though the documents which passed between the two governments were indications that measures of hostility were contemplated by the one against the other, still, when it became necessary to speak out on the points which those documents suggested, it could not well be done without making a declaration of neutrality, if not in express words, at least in substance.

That consideration brought him to the only part of the papers which it was his intention to read to the House. It was part of a despatch which had been sent to our ambassador at Paris, after all hopes of an amicable arrangement had ceased, to be by him communicated to M. Chateaubriand. That despatch contained an account of the negotiations from their commencement to their close; and he was the more anxious that the French government should see it, as he did not wish to make any unfair statement regarding its conduct. After giving a history of the negotiations it concluded in the following manner:—

"It remains only to describe the conduct which it is his majesty's desire and intention to observe, in a conflict between two nations, to each of whom his majesty is bound by the ties of amity and alliance. The repeated disavowal, by his most Christian majesty's government, of all views of ambition and aggrandizement, forbids the suspicion of any design on the part of France to establish a permanent military occupation of Spain; or to force his Catholic majesty into any measures, derogatory to the independence of his crown, or to existing relations with other powers. The repeated assurances which his majesty has received, of the determination of France to respect the dominions of his most faithful majesty, relieve his majesty from any apprehension of being called upon to fulfil the obligations of that intimate defensive connexion which has so long subsisted between the crowns of Great Britain and Portugal

With respect to the provinces in America which have thrown off their allegiance to the crown of Spain, time and the course of events appear to have substantially decided their separation from the mother country; although the formal recognition of those provinces, as independent states, by his majesty, may be hastened or retarded by various external circumstances, as well as by the more or less satisfactory progress, in each state, towards a regular and settled form of government. Spain has long been apprized of his majesty's opinions upon this subject. Disclaiming in the most solemn manner any intention of appropriating to himself the smallest portion of the late Spanish possessions in America, his majesty is satisfied that no attempt will be made by France, to bring under her dominion any of those possessions, either by conquest, or by cession, from Spain. This frank explanation upon the points on which perhaps alone the possibility of any collision of France with Great Britain can be apprehended in a war between France and Spain, your excellency will represent to M. de Chateaubriand as dictated by an earnest desire to be enabled to preserve, in that war, a strict and undeviating neutrality—a neutrality not liable to alterations towards either party, so long as the honour and just interests of Great Britain are equally respected by both."

These were the only points on which it appeared to him that any danger could be apprehended for Great Britain; and on these points he had endeavoured to guard her interest as carefully and specifically as he could. He would now beg leave, to say a few words with respect to the treaties which existed between this country and Portugal: and here he would take the opportunity of stating, that there never had been a single moment in which the ministers of France had not been aware, that any attack wantonly made by them on Portugal would bring Great Britain into the field with all her force to support the independence of her antient and her faithful ally. He was compelled, however, to remark, that much misconception prevailed in the country upon this point: for it was not only asserted, that our connexions with Portugal imposed upon us the necessity (as they certainly did) of flying to her assistance if she were attacked; but it was also asserted, that they left the question, whether Great Britain should go to war or remain at peace, entirely in the keeping of Portugal. He desired to be understood as admitting our pledge of defence to Portugal on the ground of a defensive, and not of an offensive, treaty; and if there was one point more clear in the law of nations than another, it was this—that a defensive alliance between two states did not commit one of them to war, when that was voluntarily commenced by the other. He was happy to state, that there never had been a moment in which the French government had not declared to Portugal that it was not its intention to meddle at all with her, either in word or deed, unless Portugal attacked the armies of France. He could also inform the House, that up to this moment Portugal was not bound by any engagement to enter into the war [Hear! from the Opposition benches]. He was not stating what her policy was—he was only stating her obligations; and he again repeated, that Portugal was not bound by any treaty to enter into the war which had now broken out between France and Spain. He, therefore, said, that if Portugal joined Spain in her endeavours to repel France from the Peninsula, there was no ground for Great Britain to put forward a single soldier in support of Portugal. He was not stating what our policy might be; but what was required of us by the faith of treaties. England was bound to protect Portugal, if Portugal were attacked; but not if Portugal attacked others. He thought it right to make this statement, because England had never yet made any arrangement, or entered into any treaty, which she had not, when called upon, fulfilled to the very letter; however arduous was the struggle into which she entered, and however great the sacrifice which she was compelled to make to procure its fulfilment; and it was on account of that rare scrupulousness in fulfilling her engagements, that it became the more necessary for her to understand precisely what the nature of those engagements was.

With regard to the independence of the Spanish colonies in America, he also wished to say a few words by way of explanation. Undoubtedly it would have been much more agreeable to him not to be called upon to give any explanation upon an event which might only be contingent. Unfortunately, however, no choice was left him at the present moment. As long as peace prevailed on the continent, and Spain had no enemy in Europe to contend with, so long it was a matter of discretion with the British government, whether it would or would not call the attention of Spain to the undeniable fact, that she had lost all her influence in her American provinces—that all her efforts to regain it have been, and still were, useless and ineffectual; and that her wisest policy was to enter, as soon as possible, into an accommodation with them — an accommodation founded, indeed, upon the basis of recognizing their independence, but qualified with any advantages which the mother country might think proper to stipulate, and the colonies, in return, to grant. Indeed, advice to that effect had already been given to her by this country. We had told her that we should ask of her colonies no commercial advantages, as we conceived the superiority should be reserved to her as the mother country; and all that we were inclined to demand was, that we should be placed in the same situation with other favoured nations. More than once it had been hinted to us, that our good offices between Spain and her colonies would be favourably received by the mother country. The answer which had been invariably returned to such applications was, that we were willing to interfere with our good offices, if our recognition of the independence of the colonies were not to be made determinable on the issue of the negotiations. At present, however, the case was entirely changed. As Spain had now an active and powerful European enemy, it became necessary for England to declare in what light she looked upon the struggling provinces of South America: for as Spain still retained the dominion *de jure* over them, though she had lost the dominion *de facto*; as France might send forth her fleets and armies to seize and conquer them: and as, at the conclusion of the war, arrangements might be made between the two nations regarding the conquest or the cession of them, the British government had felt itself called upon to state, that it considered the separation of the colonies from Spain to have been effected to such a degree, that it would not tolerate for an instant any cession which Spain might make of colonies, over which she did not exercise a direct and positive influence. To such a declaration the British government had at last been forced. Without staying to examine whether it had been made prematurely or not, he would once more repeat, that to such a declaration we had at length, by necessity, been driven, and that the justice and propriety of it had not yet been disputed by either party.

He was aware, that to whatever determination the House might come regarding the conduct of his majesty's ministers in the late negotiations, strong difference of opinion had existed, and would still continue to exist, with regard to the propriety of our observing a strict neutrality in the impending contest between France and Spain. He knew that many individuals in this country thought that the invasion of Spain by a French force ought to be considered by England as a declaration of war against herself. That opinion, he knew, was held by many persons of the first rank and the utmost respectability in the state; but of that opinion he would state, that it could not receive any support from either justice or the policy of the state. When he said, that it could not receive any support from justice, he did not mean to say that such a war would be absolutely unjust on our part, but that there would be no adequate ground on which we could be called to interfere in it. War, in the responsibility of those who had to make it, ought to be well and duly weighed before it was resolved on; the cause of it should not merely be sufficient, but urgent; and not merely urgent, but absolutely consistent with the interest and welfare of the country which first declared it. In making these observations, did he cast any blame upon those who, seeing a strong and powerful nation eager to crush and overwhelm with its vengeance a less numerous but not less gallant people, were anxious to join the weaker against the stronger party? Certainly not. The feeling was highly honourable to those who entertained it. The bosoms in which it existed in full bloom and vigour, unchastened and unalloyed by any other feeling, were much more happy, than those in which that feeling was chastened, tempered, and mitigated by the considerations of prudence, interest, and expediency. He not only knew, but he absolutely envied the feelings of those who called for war, for the issue of which they were in no wise likely to be responsible; for he would confess, that the reasoning by which the war against Spain was justified, appeared to him to be much more calculated than the war itself to excite a strong feeling against those who had projected it; and he must likewise add, with all due respect to those who defended it, that he could not understand by what process of reasoning, or by what confusion of ideas, they contrived to persuade themselves that they had made out any thing which approached even to a shadow of a case. They had been foolish enough to institute a comparison between the conduct of France at this moment, and the conduct of Great Britain in 1793. But what, he would ask, had Spain ever done that was at all analogous to the celebrated decree of the 19th of November, made by the French republicans? What country had Spain ever attempted to seize or to revolutionize? What independent state had she invaded in any manner that could be compared with the invasion of Geneva, of Savoy, and of Avignon by France—states that had been ravaged and plundered by their invaders, before any notice of their intention was given, and before their inhabitants had even time to draw a sword in their own defence? If the whole of Europe had formerly combined against France, it was not because she had refused to amend her political institutions on the demand of foreigners, but because she had declared her resolution, in the first instance, to propagate as widely as possible her pestiferous doctrines, and had provided means, in the second, to carry them all over Europe by the terror of her armies and the power of her sword. There was no analogy between the case of Spain and that of the French republic; and of all the powers which ought to think of reading such a lesson to Spain, even if the analogy existed, France was the very last. France, whose oppression and tyranny had created that very constitution in Spain, which it was now the foremost in condemning and reprobating! That France should be the first to complain of that constitution, which was the consequence of her own unjust aggression, was the event which of all others he should have least expected! He was not therefore surprised to find that many individuals were for deterring France from her present invasion of Spain by something stronger than state papers and remonstrances.

He had heard that there were some persons who thought that, though it might not be prudent to make war, it might still be prudent to menace war against France upon this account. These individuals, he conceived to be guilty of an error in principle, as the country which menaced war ought always to be ready to carry those menaces into execution. There were other individuals who were guilty of an error of a different kind—he meant an error of opinion. They thought this country should immediately send forth a maritime armament to watch the events that might occur on the shores of the Peninsula. Such a course, in his humble opinion, would be unworthy a great and independent nation like our own, and would degrade it from a first to a secondary power. He did hope, that whenever it determined upon war, it would determine to wage it, not as an auxiliary, but as a principle. Such had hitherto been its policy; and on all former occasions, when it had resorted to war, it had exerted every nerve to bring it to a safe, a speedy, and an honourable conclusion. "Toto certatum est corpore regni." This, he contended, was the only sound view in which war could be contemplated, and he differed entirely from those who considered the subject in any other manner. If war were the issue, it should be a war worthy of this great country; and there was no war in which the country could be engaged at the present moment, and under the existing circumstances of Europe, that would not call forth all her power, all her strength, and all her energies. This was the alternative which they had to weigh—whether honour commanded, or interest prescribed; or, if interest were left wholly out of the question, whether a sense of justice between the two hostile parties was not sufficient to induce the British government to interpose its good offices and to state what its views of policy were; and, finally, having undertaken that, as it turned out, thankless and unpleasant office with respect to both sides, there was sufficient cause to justify them in joining the injured party. These points admitted of much argument, and were mixed up with a great portion of feeling. But, whatever decision they came to, that decision ought to be a calm, a sound, and a just one; and, so far as a pretty large and a most anxious expression of public feeling had gone, it did appear that the course which had been pursued was in unison with the general sense of the country. The determination of the government was for neutrality. And for what sort of neutrality? The House would give him leave to say, for an honest and real neutrality. Any other would be unworthy of the nation. The choice was between neutrality and war. If they meant war, let them openly choose it; but, if they called for neutrality, let it not be neutrality under the mask of non-interference with one party, whilst a covert support was given to the other. If they asked him what were the lines, rules, and limits, of a just neutrality, he would tell them in one word. There was a golden maxim, which applied as well to politics as it did to morals—"Do unto others as you would that others should do unto you." But to England, he would say, "Do unto others what you have made others do unto you." For a quarter of a century, this country had laid down the law of nations to the whole world; she had laid down, most clearly, the code by which neutrals were to be guided. From the learning, the acuteness, and the talents, which had been employed in its formation, and from the recognized justice and purity of its principle, it stood, he believed, unquestioned throughout the world; and, if they did not question it themselves, would, he was convinced, go down to posterity as one of the greatest monuments of wisdom and integrity, that had ever appeared in any age. He alluded to the code which had been compiled from the decisions of sir William Scott.

There were two points on which his majesty's ministers might be questioned; first, whether it was proper that a system of neutrality should be acted on; and next, whether, at the congress of Verona, they ought not to have accepted from both parties, that undefined offer, short of mediation, and without a distinct definition of the principle on which their good offices would be received, which had then been made? The complaint of France against Spain, whether well-founded or not, was, that the disquieted state of her internal institution placed the tranquillity of France in jeopardy; and the counter-statement of Spain was, that the Army of Observation which France had marched to her frontier disquieted the Spanish people. It was between these two points that they had to strike the balance, without considering whether France sinned more against Spain in calling for preliminary conciliation, or Spain sinned more against France in desiring her to withdraw her army. Under such circumstances it was impossible to negociate. This was a case of a very novel nature, differing entirely from those in which a portion of territory having been captured, or a number of ships having been seized, there were tangible points for discussion, which could easily be adjudged. What was wanting in this instance to preserve peace was, that Spain should make some change in her constitution (a constitution which she had unquestionably a right to form), and that France should withdraw her Army of Observation. Without touching on any question involving the conduct of either party, it became a matter of inquiry, whether the British government had not done right in exerting their power to the utmost, and endeavouring as much as they possibly could, to prevent the breaking out of hostilities. This only, he should say, that though on this point he must anticipate some difference of opinion (and that difference he did not mean to censure), still, if the question were to be discussed again, he would undoubtedly pursue the same course, and he would not incur the reproach of stimulating Spain to resistance, by promises of support which could not be realized. The promise of actual and efficient support to Spain, this country was not prepared to give; and the case ministers had to consider was this—whether they should withdraw from the question altogether, and treat it with perfect indifference? Indifference they could never feel towards the affairs of Spain; and he earnestly hoped and trusted that she would come triumphantly out of this struggle. But he should not speak truly, if he did not say, that he was perfectly convinced, the first result of her success and pacification must be, the adoption of those alterations in her system which they had recommended. But, whether Spain or France were successful, he must ever feel a perfect conviction, in considering the extent of misery which might be occasioned by the contest, that if Spain had given way in a slight degree on the one part, and the Army of Observation had been withdrawn on the other, any unpleasant feeling would have been swallowed up and lost sight of in the immensity of the benefit which would have been produced. They would not then have had to deplore that state of warfare, the risk of which was incalculably great, and the issue of which it was impossible to foresee.

Mr. *Brougham* said, he rose on this occasion not so much for the purpose of entering into the discussion of the many momentous topics which the right hon. gentleman had introduced in the course of his speech, as to vindicate himself and the gentlemen near him in the eyes of the country, for not now proceeding with the discussion, animated as they were by many of the sentiments which had fallen from the right hon. gentleman—sentiments which reflected the highest honour on his character. There were, no doubt, very many persons who did not thoroughly understand, why so great an abstinence had been exhibited, and for so long a period, on his side of the House. That circumstance he would explain. He was one of those who, when he heard in a distant part of the country, where he was professionally engaged, the course of proceeding which the right hon. gentleman intended to follow, could not see the expediency of adopting that course. The right hon. gentleman did not produce the papers in the first instance, that gentlemen might read them; he reversed the practice, by defending his conduct first, and afterwards producing the papers on which that defence was founded. Now, he must say, that the unfavourable impression which that mode of proceeding had originally communicated to his mind, was not altogether removed by the right hon. gentleman's statement: for it did so happen, that, having attended to his speech with the greatest possible care, he found himself left in the dark, up to the present moment, as to the precise and specific line of conduct which his majesty's government had pursued. The right hon. gentleman said, that strict neutrality was what the government had intended: he said, that they would give no assistance to Spain, or to the invaders of Spain; but, as to what extent they had laboured to avert it, and as to what representations they had made at Verona or at Paris upon these points, he was left wholly in the dark. Nay, there were some parts of the right hon. gentleman's narrative, which, from the curious omissions observable, led him to a conclusion directly the reverse of that which other parts of the statement would induce him to form. The right hon. gentleman having passed over, with a lightness at which he greatly marvelled, whatsoever had been done at Verona—having given no account of what had been said by the duke of Wellington—having stated nothing relative to the proceedings which afterwards took place at Paris—stated, to his great astonishment, in a subsequent part of his speech, that the duke of Wellington had exerted himself to secure the tranquillity of Spain. But how? That did not appear. Here there was a great chasm—an immense *hiatus valde deflendus*—in the narrative. The most important part was omitted. Hamlet, the most striking and the most necessary object in the play, was left out. But, having made these omissions, the right hon. gentleman went on to say, that the duke of Wellington had first restored the freedom of Spain by his military prowess, and had next defended her liberty and independence by his conduct at Verona. Now, if he took this as a real statement of what had occurred at Verona, he should be led to indulge in the pleasing expectation, that he should find, in the papers on the table, no vague generalities, no idle wishes, but representations drawn up in the firm language of remonstrance. He would not say menace; because that point appeared to have been blown on towards the latter part of the right hon. gentleman's speech. He, however, did not know that there were any persons, either in that House or out of it, who could be so extremely absurd as to wish ministers to use menaces which they could not follow up. He would say, that they ought to have used the strong and firm language of remonstrance, not of menace. It was of no use to say, "Don't think we are so mad as the Bourbon government—don't think we are so wicked as that handful of imbeciles who have forgotten nothing and learned nothing; who have not profitted by those precious lessons of adversity which were never thrown away on any except themselves—don't suppose that we will assist in bringing back those pernicious principles which are the shame of France, and which, if restored, must be the curse of the Spanish people, and reduce to misery all the rest of Europe." What benefit could result from their declaring at Verona—"that we are not so base, so wicked, so drivelling, or so profligate as those by whom the invasion of Spain has been commanded?" What gratitude did he owe to ministers if they had done no more than this? What was the use of such statements, if nothing effectual were done to check that system of policy, which he thought had died with the late marquis of Londonderry—that system which was supported by their shallow rhetorician, by their flimsy orator, Chateaubriand, who had been transformed from a writer of bad books, to a writer of worse manifestos? What use was it to tell the people, and the parliament, "We do not mean to do that," which ministers knew, for their lives, they could not, they dared not to do? Where was the mighty fortitude, where the exalted courage, in their saying "We will not, to support your false principles, plunge this country into a war with all Europe?" No minister, not even Mr. Pitt, in the plenitude of his power, would dare to make such an experiment. Where, then, was the merit of a government such as the present—no two members of which seemed to agree upon any important point—in declaring, that they would not do an act, which it was not in their power to effect? He observed, that when the minister for foreign affairs, rose and uttered sentiments which, as an Englishman, a statesman, and an orator, did him the highest honour—sentiments which would surprise and delight the country, and which would crown him with the ardent applause of that country—he observed, while those expressions were heard with delight by all who sat on the Opposition side of the House—while the loudest expressions of gratification were heard—while even the benches below him [those occupied by Mr. Bankes, Mr. Wilberforce, &c.], resounded with acclamations—that a "deathlike silence" was preserved by the gentlemen opposite—that the faculties of those who administered the government, and their various adherents and supporters, appeared to sink into a "dread repose," astounded, he supposed, at the liberality of the principles which they had so unexpectedly heard. God grant, that the negotiation, when we came to read the papers, might not be found to have been carried on rather in the spirit of those silent gentlemen, than in the spirit which filled the breast of the right hon. secretary, the expression of which was re-echoed from almost every part of that House, and would be joyfully responded from every part of the empire. Finding many contradictions in the statement which they had just now heard—finding also a great many blanks in it—and knowing that the contradictions could only be reconciled, and the blanks filled up, by a careful perusal of the papers—what, under such circumstances, could be more necessary than to defer the detailed discussion of the question? He was ignorant of even the dates of the different papers; and therefore he could not tell how long the right hon. secretary had been the dupe of the French government. That he had been duped was quite clear. That was his case. The right hon. gentleman denied being an accomplice; and he disproved the accusation by showing that he was the dupe. Until he knew how long the right hon. gentleman had been hood-winked by those gracious personages, he could not decide in what degree the French government altogether was or was not the most finished specimen of perfidy that could be conceived. He believed from all he had seen, that the conduct of the French government had been most perfidious. However gentlemen opposite might stare, he repeated, that its conduct had been most perfidious. The right hon. gentleman himself had admitted the fact—he had stated it in a manner almost less measured than that which he (Mr. B.) had adopted. In speaking of the objects of his vituperation, the right hon. gentleman had, in effect, declared, that more cunning, more imposing, more wheedling men—men of worse faith, more abandoned in their notions of honour—men whose words were less to be relied on—existed not in any cabinet in the world, than those men who now composed the French government. These were the figures which constantly occurred to them in the picture which the right hon. gentleman had that night sketched. By reading one of the papers, it would be found, that up to the very eve of the day when the French king declared war in his speech to the chambers, the government of this country was abused with sanguine hopes of pacification. He wondered how it could possibly enter into the mind of so acute a person as the right hon. gentleman, who had recently studied in the French school of policy, to write the dispatch which he had read that night. The concluding passage was one of the most wonderful things in this extraordinary chapter of marvels. That he could have written it when M. Chateaubriand was not at his elbow to wheedle him; that he could have written it in the fulness of his senses; appeared almost incredible. That a paper which was to go to the French government—a paper which was to be laid before that House—

accompanied as it was by proofs of the most unexampled perfidy, should contain such a flattering expression of sentiments was really astonishing. It was there stated, that no one could doubt the purity of the motives which influenced the French government. It appeared according to this, that the little article of the French making war on the Spaniards was nothing; that no man could be so foolish as to suppose that France had any object of aggrandizement in view, when she strove to overrun Spain. As to the line of conduct they were about to be called on to sanction, either by their forbearance, or by adopting some proposition from the other side of the House, until he had an opportunity of reading and examining the papers themselves, he would abstain from giving any opinion whatever. But it would be an abandonment of every honourable principle, in any event, to sanction so absurd, he would not call it so unprincipled, a plan, because its want of principle was lost in its pure folly, and utter want of sense, as that of holding out a threat which they could not follow up. If they decided for neutrality, it was, observed the right hon. gentleman, to be a real, not a mock one. On this part of the business, he begged to make a few remarks. Now one of his reasons for preparing for war, instead of neutrality, was, because he looked upon it to be the only way of preserving peace, and of averting those calamities by which Europe was threatened. They might be obliged ultimately to go to war, and in what situation would the country then be, if no previous preparation had been made? It was not a question, whether they should continue at peace, or go to war, merely as a matter of voluntary adoption. Other nations might choose to decide for themselves; and then the question would be, whether their going to war might not compel us also to adopt hostile measures? Then, supposing war to be inevitable, what would be the consequence if this country were dragged into it unprepared, and at a time when the enemy had effected the greater part of his object? From this followed the great question, whether an earlier preparation, and the tone befitting that state of preparation, might not, and would not, if proper steps had been taken, have saved the country from a state of warfare? If they were only to have the pleasure and satisfaction of a state of neutrality, which, for a quarter of a century, the people of this country only knew by its effects on other states, then the commercial interest of this country, the merchants, and the crews who manned their ships, would be placed in a very novel situation. Other countries would, of course, act on the principles, with respect to neutrals, which England had laid down; and then the people of England would, perhaps, have to bear the novel sight of British ports blockaded by a French force, and they would also witness the efforts of British vessels to break that blockade, not for the mere purpose of traffic, but for a higher and nobler purpose, in the prosecution of which they would have the prayers and good wishes of every Englishman. The vessels, however, so loaded and so manned, for the assistance of the oppressed, would, under the neutral code, be liable to the visitation of every French boat with five men and a gun in her—they would be exposed to that visiting system which England had exercised towards other nations for a quarter of a century. Perhaps they would not find the system quite so agreeable when it was turned against themselves. To make the medicine a little more palatable, the right hon. gentleman had spoken of it as clothed in the elegant language of sir W. Scott, who had bestowed on it that ornamental dress, that dazzling garb, which had bewitched all but the neutrals. It had bewitched the right hon. gentleman who had a congenial classic taste, almost as much as it had tormented the unfortunate neutrals who suffered by that celebrated code. God forbid that war should last long, if that code were to be actively employed against the merchants of this country. The operation of the code would be found a very painful process. The merchants would scarcely bear it. Eruptions would break out in the system; and it would end at last by amputation in the shape of actual war. [Laugh.]—The learned gentleman then proceeded to observe, that he never knew a minister cut a worse figure than the right hon. secretary had done that night. The fault was not, however, attributable to him, but to the badness of his cause. He and his hon. friends agreed perfectly with the right hon. secretary in the liberal sentiments he had expressed, He wished those sentiments were common to him and to all his colleagues and their supporters. Those sentiments would be echoed through this country with delight; and most heartily did he and all his friends pray for the success of the Spanish people in this war. He denied that it was the war of the French nation, and he believed that the French army did, in their hearts, detest the work of plunder, guilt, and hypocrisy which they were sent about. It was the effort of three or four French emigrants, who had gotten into power. They were determined to make a desperate attempt to get back their confiscated estates by a counter-revolution, and the priests chimed in with them to recover their well-lost tithes. It was on account of these classes that the Spaniards were to be punished because they wished to be free. He hoped in God, however, that they would succeed against their enemies. He had with delight heard the right hon. gentleman say that this war was not only unprincipled, but desperate, on the part of France. He believed it was both; and he trusted the defence by the Spaniards would prove it to be the latter. But though the Spaniards might yield a little—though the French might succeed at first—though a great foreign orator had predicted their success as certain—though the renowned and veteran general Angoulême had clapped his hand upon his sword and vowed to conquer, still he would not despair of the ultimate success of the Spanish people. For our part, our duty was to go on, so as to deserve the respect of a people who to a man were animated with the strongest feelings for the success of liberty and independence. Should the war end (as he sincerely hoped it would) in the discomfiture of the Bourbons—should they be again conquered—they would owe it to themselves alone, and they would perish amidst the delight of every man in Europe; except, perhaps, a few, whose breasts never warmed with any feelings for liberty, except when the preservation of their places or their own personal interest rendered it expedient; but, with these few exceptions, they would perish unregretted by the world. None would raise a hand in their behalf; none would wish for their restoration. When the papers now produced should be fully before the House, it would be their business to decide whether the conduct of government had been such as either to give rise to bitter disappointment of hopes strongly excited, or sore humiliation at the degradation of our national honour.

Mr. *Canning*, in explanation, observed that the hon. and learned gentleman had quite misunderstood him in attributing to him the assertion, that the war was a desperate enterprise on the part of France. He had not said a word as to the possible result of the war on one side or the other. He looked forward with satisfaction to any opportunity which might be afforded him of answering any objections which might be made to the course which had been pursued by his majesty's government, and with a perfect confidence, that if that conduct were tried by any of those tests to which the policy of governments in their foreign relations could be fairly subjected, they would be found to have been uniformly actuated by a respect for the independence of nations, the faith of treaties, and the honour and interest of the nation.

The papers were laid upon the table.

PAPERS CONCERNING THE NEGOTIATIONS RELATIVE TO SPAIN.] The following are copies of the Papers relative to Spain, which were laid, by his majesty's command, before both Houses of Parliament:

PAPERS RELATIVE TO SPAIN.

CLASS A.—VERONA AND PARIS.

No. 1.—The Duke of Wellington to Mr. Secretary Canning.—Received September 24th.

(Extract.) *Paris, Sept.* 21, 1822.

I had a long discussion with M. de Villèle yesterday, on the relations of this government with Spain. It appears, that for a considerable time past, I believe since the alarm of infectious fever in Spain, the French government have been collecting the troops in the southern departments of France. They have not, however, on the immediate frontier, a larger body of men than are sufficient for the performance of the duties of the "Cordon Sanitaire," so long as that precaution is necessary, in consequence of the prevalence of the fever in the neighbouring provinces of Spain; or than can fairly be deemed necessary for the purposes of observation of a country which is the seat of a civil war, and for the protection of the French frontier from insult, by the different parties in operation immediately on the borders.

M. de Villèle said, that the assembly of the Congress at the present moment, was not a matter of indifference, in relation to the situation of affairs in Spain, or to that in which the two countries stood towards each other. There was no doubt that expectations were formed respecting the result of the deliberations of the Congress on the affairs of Spain, as well in Spain as elsewhere; and that if the

Congress were to separate, and come to no decision on those affairs, it was probable that the existing evils would be greatly aggravated, and that the two countries might be forced into a war.

M. de Villèle wished that the Congress should take into consideration the actual position of the French government in relation to Spain, and the hypothesis under which they might be forced into a war; and that the four other powers of the alliance should declare what line they would each take, in case of the occurrence of any of the events which they conceived would force them to war. I told M. de Villèle that it would be quite impossible for us to declare beforehand what would be our conduct upon any hypothetical case.

I should wish to receive his majesty's instructions what line I shall take, and what arguments I shall use, in case the French government should make the proposition at the Congress, which M. de Villèle has made to me, respecting a declaration by the allies.

No. 2.—Mr. Secretary Canning to the Duke of Wellington.

(Extract.) *Foreign Office, Sept.* 27, 1822.

If there be a determined project to interfere by force or by menace in the present struggle in Spain, so convinced are his majesty's government of the uselessness and danger of any such interference—so objectionable does it appear to them in principle, as well as utterly impracticable in execution, that when the necessity arises, or (I would rather say) when the opportunity offers, I am to instruct your grace at once frankly and peremptorily to declare, that to any such interference, come what may, his majesty will not be a party.

No. 3.—The Duke of Wellington to Mr. Secretary Canning.

(Extract.) *Verona, Oct.* 22, 1822.

We had a conference on Sunday night, at which the French minister, M. de Montmorency read a paper of which I inclose a copy. I imagine that each of the ministers will answer this paper. In my answer, I shall review our line of conduct since April 1820; and shall decline to engage ourselves to adopt any measure beforehand, or till we shall have a full knowledge of all the circumstances which have occurred between the two countries. I propose, besides, to point out, that, considering the relative position of France and Spain, it is not probable that Spain will declare against them; if they explain, as they ought, the meaning and object of their corps of observation, and make some allowance for the state of effervescence of men's minds in Spain in a state of revolution and civil war.

(Translation of Inclosure in No. 3.)—Questions addressed by the French Plenipotentiary to the Plenipotentiaries of Austria, Prussia, Russia, and Great Britain.

Verona, October 20th, 1822.

1. In case France should find herself under the necessity of recalling her minister from Madrid, and of breaking off all diplomatic relations with Spain, will the high courts be disposed to adopt the like measures, and to recall their respective missions?

2. Should war break out between France and Spain, under what form and by what acts would the high powers afford to France, that moral support which would give to her measures the weight and authority of the alliance, and inspire a salutary dread into the revolutionists of all countries?

3. What, in short, is the intention of the high powers as to the extent and the form of the effective assistance, (*"secours matériels,"*) which they would be disposed to give to France, in case active interference should, on her demand, become necessary.

No. 4.—The Duke of Wellington to Mr. Secretary Canning.—Received November 14th.

(Extract.) *Verona, Nov.* 5th, 1822.

Prince Metternich called together a conference of the five cabinet ministers of Wednesday evening, at which were delivered in answers to the demands of the French minister on the 20th ultimo, from the Russian, Austrian, and Prussian ministers; and that from myself, a copy of which I inclose.

(Inclosure in No. 4.) Memorandum.—Answer of the Duke of Wellington to the Questions of the French Plenipotentiary.

Verona, October 30, 1822.

Since the month of April 1820, the British government have availed themselves of every opportunity of recommending to his majesty's allies to abstain from all interference in the internal affairs of Spain.

Without adverting to those principles which his majesty's government must always consider the rule of their conduct, in relation to the internal affairs of other countries, they considered that to whatever degree either the origin of the Spanish revolution, the system then established, or the conduct of those who have since had the management of the internal affairs of Spain might be disapproved of, any amelioration which might be desired in the Spanish system, for the sake of Spain herself, ought to be sought for in measures to be adopted in Spain, rather than abroad; and particularly in the confidence which the people should be taught to feel in the character and measures of the king.

They considered that an interference, with a view to assist the monarch on the throne, to overturn that which had been settled, and which he had guaranteed, or to promote the establishment of any other form of government or constitution, particularly by force, would only place that monarch in a false position, and prevent him from looking to the internal means of amelioration which might be within his reach.

Such an interference always appeared to the British government an unnecessary assumption of responsibility; which, considering all the circumstances, must expose the king of Spain to danger, and the power or powers which should interfere, to obloquy, certain risks, and possible disasters; to enormous expenses, and final disappointment in producing any result.

Upon these principles his majesty has advised his allies, and has acted himself, from the month of April 1820, to the present day.

The protocols and other acts of the Congress at Aix-la-Chapelle, which established the union at present existing between the five powers, so happily for the world, require the most unlimited confidence and communication on the part of each; and accordingly, his majesty has never failed to communicate to his allies, and particularly to France, every instruction which he has sent to his minister at Madrid; and all the communications made by his majesty's commands to the minister of Spain residing in London:—all in the same spirit of good-will towards the king of Spain and the Spanish Nation.

It is impossible to look at the existing relations between France and Spain, adverting to what has passed from the commencement of the year 1820, to the present moment, without being sensible of the unfortunately false position in which the king of Spain is placed; and that the spirit of party in both countries, having aggravated the national antipathy which antecedent circumstances had occasioned, is in a great measure the cause of the unfortunate irritation in Spain against France, to which his excellency the minister of France has adverted. The great object of his majesty's foreign policy is, to preserve peace among nations; he feels the most anxious interest for the happiness of his Catholic majesty, and the honour of his government; and it would be his sincere desire to allay that irritation.

But the British government cannot but feel, that to make any declaration on any of the three points referred to by his excellency, without a previous accurate knowledge of all the circumstances which have occurred between the two countries, would be not only premature and unjust, but would probably be unavailing; and would, in fact, deprive his majesty of the power of discussing and deciding upon the measures of his own government in this affair hereafter, when he should be better informed. His majesty must either place himself in this painful position, or he must do, what would be equally painful to his feelings, require from his august friend and ally the king of France, that he should submit his conduct to the advice and control of his majesty.

His majesty's government cannot think either alternative to be necessary; but are of opinion that a review of the obvious circumstances of the situation of France, as well as Spain, will show, that whatever may be the tone assumed towards France by the ruling powers in Spain, they are not in a state to carry into execution any plan of real hostility.

Considering that a civil war exists in the whole extent of the frontier which separates the two kingdoms; that hostile armies are in movement and in operation in every part of it; and that there is not a town or village on the French frontier which is not liable to insult and injury—there is no person who must not approve of the precaution which his most Christian majesty has taken in forming a corps of observation for the protection of his frontier, and for the preservation of the tranquility of his people.

His Britannic majesty sincerely wishes that this measure may be effectual in attaining the objects for which it is calculated; and that the wisdom of the French government will have induced them to explain it at Madrid, in such terms as will satisfy the government of his Catholic majesty of its necessity.

Such an explanation will, it is hoped, tend to allay in some degree the irritation against France; and, on the other hand, it may be hoped that some allowance will be made in France for the state of effervescence of men's minds in Spain, in the very crisis of a revolution and civil war.

A moment's reflection upon the relative power of the two states will show, that the real evil to which his most Christian majesty is exposed, is that resulting from the operations of the civil war on the neighbouring frontier of Spain; against which the measure which his government have adopted is best calculated to preserve him.

Even revolutionary madness could not calculate upon the success of a serious attack by Spain upon France, under any circumstances which it is possible to suppose to exist at present in the latter kingdom.—But the attention of the Spanish government is now occupied by a civil war, the operations of which certainly justify the formation of a corps of observation in France; and it is not very probable that they would, at this moment, desire to break with France.

Neither is it to be believed that, in their present situation, they would not desire still to enjoy the advantage of that countenance to their system, which the presence of the French ambassador at the seat of government must afford them.

His majesty therefore considers any rupture by Spain, or any measure on her part which may render necessary the immediate discontinuance of diplomatic relations by France, very improbable: and as his majesty is quite unacquainted with what has passed between France and Spain since the month of April, 1820; and his government cannot know upon what grounds his most Christian majesty's government may think proper to discontinue the diplomatic relations of France with Spain; or upon what grounds war may break out between the two countries; it is impossible for them now to pronounce what advice they should consider it their duty to give to his majesty, in case either or both of those events should occur.

His majesty most anxiously wishes that such extremities may be avoided; and he feels convinced that the government of his most Christian majesty will find means of avoiding them.

No. 5.—The Duke of Wellington to Mr. Secretary Canning.—Received Nov. 21.

(Extract.) *Verona, November* 12, 1822.

I have little to report as having occurred on the Spanish question, since I wrote to you on the 5th inst. But I inclose to you a memorandum on what is passing here, which I send to sir Charles Stuart by this occasion.

(Inclosure in No. 5.)—Memorandum.

(Extract.) *Verona, November* 12, 1822.

On the 20th of October, the French minister gave in a paper, requiring from the ministers of the allies to know, whether, if France should be under the necessity of withdrawing her minister from Spain, the other allied powers would do the same? In case France should be involved in war with Spain, what countenance the allies would give the former? And in case France should require it, what assistance?

To these questions the three continental allies answered on the 30th of October, that they would act as France should, in respect to their ministers in Spain, and would give to France every countenance and assistance she should require—the cause for such assistance, and the period and the mode of giving it, being reserved to be specified in a treaty.

The minister of Great Britain answered, that having no knowledge of the cause of dispute, and not being able to form a judgment upon an hypothetical case, he could give no answer to any of the questions.

The mode of communicating with Spain was considered on the 31st, with a view to prevent a rupture between France and Spain. It was agreed that the minister of each of the four continental courts at Madrid should present a separate note of the same tenor, and drawn upon the same principles; and on the 1st of November it was settled, that the four courts should draw up their notes and communicate them to the British minister; who should, upon seeing these notes, make known the line which his court would take.

Since that meeting, it is understood that the plan of proceeding proposed and agreed to, has been altered. Instead of official notes to be presented by the several ministers at Madrid to the Spanish government, it is now intended that dispatches shall be written to those ministers respectively, in which the several courts will express their wishes and intentions: this mode of proceeding is adopted, as affording greater latitude for discussion and explanation than that by official notes.

Accordingly M. de Montmorency has prepared the draft of his dispatch; and it is understood that the ministers of the continental powers are preparing theirs. These are the facts which have occurred at the existing Congress. In the course of the discussions which have taken place upon this occasion, a marked difference of opinion as to the mode of action has appeared between the continental courts on the one hand, and England on the other. The minister of the latter power has recommended that France, and the powers which should interfere in this case, should confine themselves to what may properly be called the *external* quarrel between France and Spain; should not menace; and above all should not approach Spain in the form of enemies, bound in a treaty of defensive alliance against her.

No. 6.—The Duke of Wellington to Mr. Secretary Canning.—Received, Dec. 6.

(Extract.) *Verona, November* 22, 1822.

I inclose the minute of the answer which I returned to the ministers of the allies on the 20th inst. when they communicated to me the dispatches which they proposed to write to the ministers of their several courts at Madrid.

Minute.—(Inclosure in No. 6.)

Verona, November 20, 1822.

When the ministers of the five courts last assembled on the 1st instant, the object of their common solicitude was, to allay the irritation existing in Spain against France, and to prevent a possible rupture between the two powers.

Although his majesty's government did not consider themselves sufficiently informed, either of what had already taken place between France and Spain, or of what might occasion a rupture, to be able to answer in the affirmative, the questions submitted to the conference by his excellency the minister of France; yet, knowing the anxiety of the king, my master, for the honour of his most Christian majesty, and for the preservation of the peace of the world, I was willing to enter into the consideration of the measures proposed, with a view to attain our common object.

It was settled, that the notes to be prepared according to the proposition of his highness the Austrian minister, and to be presented to the Spanish government on this occasion, should be communicated to me, in order that I might see, whether, consistently with the view which the king had invariably taken of the affairs of Spain, and with the principles which had governed his majesty's conduct in relation to the internal concerns of other countries, his majesty's government could take any part which might forward the common purpose of preserving the general tranquillity.

The ministers of the allied courts have thought proper to make known to Spain the sentiments of their respective sovereigns, by dispatches addressed to the ministers of their several courts, residing at Madrid, instead of by official notes—as a mode of communication less formal, and affording greater facility of discussion.

These dispatches, it appears, are to be communicated *in extenso* to the Spanish government.

The origin, circumstances, and consequences of the Spanish revolution,—the existing state of affairs in Spain,—and the conduct of those who have been at the head of the Spanish government may have endangered the safety of other countries, and may have excited the uneasiness of the governments, whose ministers I am now addressing; and those governments may think it necessary to address the Spanish government upon the topics referred to in these dispatches.

These sentiments and opinions have certainly been entertained by the three cabinets of Austria, Prussia, and Russia, for a considerable period of time; and the British government duly appreciates the forbearance and deference for the opinions of other cabinets, which have dictated the delay to make these communications, to the present moment. But having been delayed till now, I would request those ministers to consider, whether this is the moment at which such remonstrances ought to be made; whether they are calculated to allay the irritation against France, and to prevent a possible rupture; and whether they might not with advantage be delayed to a later period.

They are certainly calculated to irritate the government of Spain; to afford ground for a belief that advantage has been taken of the irritation existing between that government and France, to call down upon Spain the power of the alliance; and thus to embarrass still more the difficult position of the French government.

The result of these communications will probably be, that the diplomatic relations between the three allied courts and Spain will be discontinued—whatever may be the state of the questions between France and Spain: this occurrence cannot assist the cause of France; as those questions will stand upon their own ground, and the government of France must decide them upon their own merits.

But these communications are not only calculated to embarrass the French government, but likewise that of the king, my master. His majesty feels sincerely for the king and the people of Spain; he is anxious to see a termination of the evils and misfortunes by which that country is afflicted; and that it should be prosperous and happy. His majesty likewise earnestly desires, that the usual relations of amity and good neighbourhood may be re-established between France and Spain; and his majesty's government would have been anxious to co-operate with those of his allies, in allaying the existing irritation, and in preventing a possible rupture.

But his majesty's government are of opinion, that to animadvert upon the internal transactions of an independent state, unless such transactions affect the essential interests of his majesty's subjects, is inconsistent with those principles on which his majesty has invariably acted on all questions relating to the internal concerns of other countries; that such animadversions, if made, must involve his majesty in serious responsibility, if they should produce any effect; and must irritate, if they should not: and if addressed, as proposed, to the Spanish government, are likely to be injurious to the best interests of Spain, and to produce the worst consequences upon the probable discussions between that country and France.

The king's government must, therefore, decline to advise his majesty to hold a common language with his allies upon this occasion: and it is so necessary for his majesty, not to be supposed to participate in a measure of this description, and calculated to produce such consequences, that his government must equally refrain from advising his majesty to direct that any communication should be made to the Spanish government, on the subject of its relations with France.

His majesty, therefore, must limit his exertions and good offices, to the endeavours of his minister at Madrid to allay the ferment which these communications must occasion, and to do all the good in his power.

No. 7.—Mr. Secretary Canning to the duke of Wellington.

(Extract.) *Foreign Office, Dec.* 6, 1822.

The latest date of your grace's dispatches from Verona is the 19th ultimo. The French mail due yesterday, has, from some unaccountable accident failed to arrive; and we are left in an uncertainty, as to every thing that has passed at Verona for more than a fortnight. In this state of things, however difficult it may be to shape instructions to a case not ascertained, it has nevertheless been felt by his majesty's advisers, that we should be wanting to our duty, if we did not submit to his majesty the course which it would be expedient to pursue, in that which is understood to be the present situation of the question of peace or war between France and Spain.

M. de Villèle has taken several opportunities of expressing to sir Charles Stuart his own earnest desire for the preservation of peace; and his wish to receive, not only the support but the advice of the British government, in his endeavours to preserve it.

I have the king's commands to signify to your grace his majesty's pleasure, that your grace should seek a conversation with M. de Villèle; and, after referring to his excellency's communications through sir Charles Stuart, should offer to that minister the mediation of his majesty, between their most Christian and Catholic majesties.

It will not escape your grace's observation, that in order to afford a prospect of success in our mediation, if France should be willing to employ it, there should be some reasonable hope of a similar acceptance on the part of Spain.

I inclose to your grace an extract of a despatch from the Spanish government to its Chargé d'Affaires in London, which was read and delivered to me by M. de Colomb in a conference the day before yesterday.

The remaining part of the despatch to M. de Colomb (with which I do not trouble your grace on this occasion) relates to the questions pending between the two governments, respecting commercial grievances, and the piracies in the West Indian seas.

(Inclosure in No. 7:)—Translation.—Extract of a despatch addressed by M. San Miguel, minister for foreign affairs at Madrid, to M. de Colomb, dated November 15, 1822.

The government of his majesty has received with gratitude, but without surprise, the verbal communication, purporting that the cabinet of his Britannic majesty, respecting the independence and the political institutions adopted by the [Spanish] nation, is determined not to interfere in our domestic affairs.

Nothing else could be expected from the government of a nation which like the British, knows its rights and the primordial principles of public law; and it is only to be wondered at, that it should not think it expedient to give to a declaration of such obvious justice the solemnity which it deserves.

The ties of intimate regard, the principles of mutual convenience and the analogy of the respective institutions which exist in Spain and in England—do they not positively entitle the former, overwhelmed with difficulties, to expect from the latter, whose political influence is of the greatest weight, something more than simple and abstract justice, something more than a passive respect for universal laws, than a cold and insensible neutrality? And if some tender interest, such as befits two nations in similar circumstances, exists in the court of London, how is it that it does not manifest itself in visible acts of friendly interposition to save its ally from evils, in which humanity, wisdom, and even cautious and provident state policy will sympathize? Or how is it that (if these benevolent acts exist) they are not communicated to the cabinet of his Catholic majesty?

The acts to which I allude, would in no wise compromise the most strictly conceived system of neutrality. Good offices, counsels, the reflections of one friend in favour of another, do not place a nation in concert of attack or defence with another, do not expose it to the enmity of the opposite party, even if they do not deserve its gratitude — they are not (in a word) effective aid, troops, arms, subsidies, which augment the force of one of the contending parties. It is of reason only that we are speaking, and it is with the pen of conciliation that a power, situated like Great Britain, might support Spain, without exposing herself to take part in a war, which she may perhaps prevent with general utility.

England might act in this manner; being able, ought she so to act? and if she ought, has she acted so? In the wise, just, and generous views of the government of St. James, no other answer can exist than the affirmative. Why then does she not notify to Spain what has been done, and what it is proposed to do in that mediatory sense *(en aquel sentido mediador)*? Are there weighty inconveniences which enjoin discretion, which show the necessity of secresy? They do not appear to an ordinary penetration.

Nevertheless, in such uncertainty of what she has to thank the British ministry for, the government of his Catholic majesty thinks itself bound to manifest, in the face of the world, in order that it may regard it as its profession of faith, that whilst it respects the rights of others, it will never admit the least intervention in its internal concerns, nor execute an act which may compromise in the least the free exercise of national sovereignty.

When once you shall have communicated these frank declarations to the right hon. George Canning, his excellency cannot do less than find them worthy of his flattering concurrence, as well in substance as in form, and must correspond cordially with the spirit which has dictated them; and it will be sufficient that you should terminate your discourse, by reminding his excellency that Spain has been almost always, in her political relations, the victim of her probity and good faith; that her friendship has been, and is useful to other nations, and sincere under every trial; that the government of his majesty is desirous to preserve the friendly ties which exist between Spain and England, but without the diminution, without the degradation of its dignity, and that, if it has to struggle with the embarrassments that result from its immense progressive losses, the Spanish people always possesses sublimity of sentiment to conduct itself with honour, strength of character to support its calamities, and constancy of resolution to maintain itself in spite of the last sacrifices, in the post which belongs to her in Europe.

No. 8.—The Duke of Wellington to Mr. Secretary Canning.—Received December 11.

(Extract.) *Paris, December* 9, 1822.

I arrived here this afternoon, and received your despatch of the 6th inst. I have since had an interview with M. de Villèle; and I have the pleasure to inform you, that he has sent a messenger to Verona with orders to the French ministers at that place, to express the desire of the French government, that the transmission of the despatches to Madrid should be suspended.

No. 9. — Mr. Secretary Canning to the Duke of Wellington.

(Extract.) *Foreign Office, Dec.* 13, 1822.

Your grace's despatches of Tuesday have been received and laid before the king. The step taken by M. de Villèle, in referring back to Verona the consideration of the despatches proposed to be sent by the three continental courts to their several ministers at Madrid, with a view of inducing the three courts to suspend the transmission of those despatches, undoubtedly constituted a case (wholly unforeseen when the last instructions of your government were framed) which made it expedient to suspend, on your grace's part, the offer to the French government, of his majesty's mediation with Spain.—Upon a full review, however, of the situation in which we stand towards both those powers, and towards the other members of the alliance, and upon an anxious consideration of the several issues to which the question of peace or war may come—all those of his majesty's servants, whom I have been able to consult, are of opinion, that it is highly material, for the clear and perfect discharge of the duty of the British government, in a question so deeply affecting the interests, not only of the powers immediately concerned, but of the world, that your grace should not leave Paris, without having placed in the hands of the French government the eventual offer of his majesty's mediation.

No. 10.—The Duke of Wellington to Mr. Secretary Canning.—Received December 22.

(Extract.) *Paris, December* 17, 1822.

I waited upon M. de Montmorency this day, and presented to him the note of which I inclose a copy.

(Inclosure in No. 10.) The Duke of Wellington to M. de Montmorency.

Paris, December 17, 1822.

The undersigned, his Britannic majesty's plenipotentiary, has explained and recorded, in the conferences of Verona, the sentiments of his government upon the present critical state of affairs between France and Spain; and the earnest solicitude of the king his master, to avert a war of which no human foresight can calculate the consequences.

Upon his arrival at Paris, the undersigned found instructions from his government, to offer to his most Christian majesty the mediation of the king his master, before the decisive step should have been taken, of transmitting to Madrid the despatches written at Verona.

The undersigned rejoiced at the delay which had been interposed to the transmission of those despatches to Madrid, by the reference to Verona; and his government have learnt, with the liveliest satisfaction, the determination of the French government to reconsider a measure which the undersigned had so anxiously deprecated.

It is the sincere hope of his majesty, that this salutary reconsideration may prevent recourse to arms. But, as the issue of the reference to Verona may still be doubtful, the undersigned is instructed to declare, that, if the answer to that reference should not be such as to preclude all danger of hostilities, his majesty will be ready to accept the office of mediator between the French and Spanish governments; and to employ his most strenuous endeavours for the adjustment of their differences, and for the preservation of the peace of the world. The undersigned, &c.

(Signed) WELLINGTON.

No. 11.—(Translation.) Note from the Duke of Montmorency to the Duke of Wellington, dated Paris the 26th Dec. 1822.

The undersigned minister for foreign affairs has received and laid before the king, the note which his excellency the duke of Wellington did him the honour to address to him on the 17th of this month.

His majesty has appreciated the sentiments which have induced the king of England to offer his mediation to his majesty, in order to prevent a rupture between him and the Spanish government. But his majesty could not but feel that the situation of France with regard to Spain, was not of a nature to call for a mediation between the two courts. In fact, there exists no difference between them, no specific point of discussion, by the arrangement of which their relations might be placed on the footing on which they ought to stand. Spain, by the nature of her revolution, and by the circumstances with which it has been attended has excited the apprehensions of several great powers. England participated in these apprehensions; for even in the year 1820, she foresaw cases, in which it would be impossible to preserve with Spain, relations of peace and good understanding.

France is more interested than any other power in the events which may result from the actual situation of that monarchy. But it is not her own interests alone which are compromised, and which she must keep in view in the present circumstances:—the repose of Europe, and the maintenance of those principles by which it is guaranteed, are involved.

The duke of Wellington knows that these are the sentiments which dictated the conduct of France at Verona; and that the courts which agreed in them regarded the consequences of the revolution, and of the actual state of Spain as being common to them all; that they never entertained the idea that it was between France and Spain alone that the existing difficulties needed to be arranged; that they considered the question to be "wholly European;" and that it is in consequence of this opinion, that the measures which had for their object the bringing about, if possible, an amelioration in the state of a country so highly interesting to Europe, were conceived and proposed—measures, the success of which would have been completely secured, if England had thought she could concur in them.

His most Christian majesty, who was bound to weigh these considerations maturely, has therefore thought that he could not accept the mediation that his Britannic majesty has been pleased to propose to him. He sees, however, with pleasure in this proposition, a new pledge of the conciliatory disposition of the English government; and he thinks that with such feelings, that government may render essential service to Europe, by offering in the like manner to the government of Spain, advice, which by leading them to entertain more calm views, might produce a happy influence on the internal situation of that country.

His majesty would learn, with the liveliest satisfaction, the success of such efforts. He would see in it a firm ground to hope for the preservation of a peace, of the great value of which, the governments and the people of Europe cannot but be deeply sensible. The undersigned eagerly embraces the opportunity of renewing to his excellency the duke of Wellington the assurances of his high consideration. The undersigned, &c.

(Signed) Montmorency.

No. 12.—Mr. Secretary Canning to the Vicomte de Marcellus.

Foreign Office, January 10, 1823.

The undersigned, his majesty's principal secretary of state for foreign affairs, has received from the duke of Wellington, late his majesty's plenipotentiary at the Congress of Verona, and has laid before the king his master, the answer of the minister for foreign affairs of his most Christian majesty, to the official note in which the duke of Wellington, on his return from Verona, tendered to the French government the mediation of the king, for the adjustment of differences between France and Spain.

The undersigned is commanded to address to M. de Marcellus, chargé d'affaires of his most Christian majesty, the following observations on the note of his excellency the duke de Montmorency, to be transmitted by M. de Marcellus to his court.

The king has seen with pleasure, that his most Christian majesty does justice to the sentiments which dictated the offer of his majesty's mediation: and although the view which is taken in M. de Montmorency's note, of the nature of the differences between the French and Spanish governments, has induced his most Christian majesty to decline that mediation, the king will not the less anxiously employ, in every way that is yet open to him, those "conciliatory dispositions" for which his most Christian majesty gives him credit, to bring about a state of things less menacing to the peace of Europe, than that which is exhibited in the present position of those two governments towards each other.

The British cabinet had not to learn how fearfully the tranquillity of all Europe must be affected by the hostile collision of France and Spain. Accordingly, in the duke of Wellington's official note, the "adjustment" of the supposed "differences between the French and Spanish governments," was stated as auxiliary to "the preservation of the peace of the world." But the British cabinet certainly did not understand the questions brought forward at Verona, by the plenipotentiary of his most Christian majesty, with respect to the actual situation and possible conduct of Spain, to be questions in which the concern of France was so little distinguishable from that of other powers, as the duke de Montmorency's note represents it.

The plenipotentiary of the king of France solicited from his most Christian majesty's allies a declaration:

1st. Whether, if France should find herself obliged to recall her minister from Madrid, and to break off all diplomatic relations with Spain, they would be disposed to take the like measure, and to recall their several legations?

2nd. If war should break out between France and Spain, in what form, and by what acts, would they afford to France that moral support, which would give to her proceedings the whole force of the alliance, and would inspire a salutary fear into the revolutionists of all countries?

3rd. What were the intentions of the several powers, both as to the substance and the form of the direct assistance which they would be disposed to give to France, in a case in which, upon her demand, their active intervention should become necessary?

France, therefore, originated the discussions upon Spanish affairs at Verona; and the answers of the three continental members of the alliance were addressed to the cases supposed, and to the support demanded, by France.

In common with the three continental powers, the plenipotentiary of his majesty considered the question of peace or war with Spain, as a question peculiarly French. In his answer (given in simultaneously with those of the three continental powers) to the queries of the French plenipotentiary, and in all the discussions which followed thereupon, the duke of Wellington uniformly alleged, as one of his reasons for not assenting to the propositions of M. de Montmorency, the ignorance of the British government as to the antecedent transactions and communications (during the last two years) between the governments of France and Spain.

No objection was stated by the duke of Wellington, on the part of the king his master, to the precautionary measures of France, within her own frontier; measures which the right of self-defence plainly authorized, not only against the danger of contagious disease (in which they professedly originated, and to which, till the month of September, they were exclusively ascribed), but against those inconveniences which might possibly arise to France from civil contest in a country separated from France only by a conventional line of demarcation; against the moral infection of political intrigue, and against the violation of French territory by occasional military incursions. But it appeared to his majesty's plenipotentiary at Verona to be necessary and just, that, before he was called upon to promise eventually the support of his government to measures on the part of France which were likely to lead to war with Spain, opportunity should have been allowed to his government to examine the grounds of those measures—that the cause of offence given by Spain to France should have been specifically defined.

It was therefore impossible for his majesty's plenipotentiary to "concur" in the decisions of Verona.

It remains for the undersigned to advert to that part of the French official note, which appears to insinuate a reproach against this country, as if she had abandoned at Verona, opinions which she had formerly declared with respect to the affairs of Spain.

"England," it is said, "partook in 1820, of the inquietude which the revolution in Spain occasioned to many great powers; she foresaw cases in which it might be impossible to preserve with Spain the relations of good intelligence and peace."

The undersigned must be permitted to say, that though questions were indeed propounded to England in the year 1820, as to possible future contingencies in the affairs of Spain, so far from "foreseeing cases," and deciding upon the conduct which would be applicable to them, in the manner here described, the British government positively declined to bind itself, by a contingent opinion, to any conditional course of action.

But there was no indisposition or hesitation to avow the principles upon which the opinion of England would be formed, and her course of action regulated. It was not only declared that the British government disclaimed any general right of interference in the internal concerns of independent nations; but it was specifically stated, that there was perhaps no country of equal magnitude with Spain whose internal disturbances would be so little likely to menace other states with that direct and imminent danger, which could alone, in exception to the general rule, justify foreign interference.

The application of these principles to the cases brought forward by France at Verona, was as direct as it was consistent with the former professions of the British cabinet.—That application was further enforced by other considerations, which, though they had not perhaps been distinctly anticipated in a prospective and hypothetical argument, bore nevertheless with undeniable force upon the question to be decided at Verona.

Dangers not necessarily arising from the existence of the internal agitations of Spain, might nevertheless be created by an uncalled-for and injudicious interposition in them. The spirit of revolution, which, shut up within the Pyrennees, might exhaust itself in struggles, trying indeed to Spain, but harmless to her neighbours, it called forth from within those precincts by the provocation of foreign attack, might find perhaps in other countries fresh aliment for its fury; and might renew throughout Europe, the miseries of the five and twenty years which preceded the peace of 1815.

For these and abundant other reasons, the voice of his majesty's plenipotentiary at Verona was for peace. The preservation of general peace is the earnest wish and object of his majesty; and the undersigned is commanded to repeat, that no means will be left unexhausted by his majesty's government, which the impartial employment of good offices can afford, to soothe the irritation at present unhappily subsisting between the governments of France and Spain, and to prevent, if possible, the commencement of hostilities, the consequences of which no human foresight can calculate. The undersigned, &c.

(Signed) GEORGE CANNING.

No. 13.—(Translation).—The Viscount de Chateaubriand to Mr. Secretary Canning. —Received, Jan. 27th.

Paris, Jan. 23, 1823.

The undersigned minister for foreign affairs, of his most Christian majesty, has laid before the king, the note, dated the 10th of this month which his excellency, the principal secretary of state for foreign affairs of his Britannic majesty, has addressed to viscount Marcellus. He has been commanded to make the following communication to his excellency:

The cabinet of his Britannic majesty would fall into a serious error, if it imagined that France had represented to the congress of Verona, the question of Spain, as having for her an interest entirely separate from that of the allied powers; that, consequently she is inconsistent when, in her answer to the proposition of mediation made by England, she maintains that that question is "wholly European."

France, since the transactions of Aix-la-Chapelle, is closely united with the courts, who, by their efforts, have re-established peace upon the continent. Deeply impressed with the sacred obligation of treaties, she will fulfil the duties which they impose upon her:—one of the duties thus required of France was, to make known to her allies, the motives which had compelled her to establish an army of observation on one of her frontiers, and to explain her uneasiness on approaching events, of which it was easy to calculate the chances. In the position in which the agitations in Spain had placed her, common prudence required that she should make herself acquainted with the part which the allied powers would take, in the event of war becoming inevitable.

This line of conduct, which good sense and reason pointed out, the duke de Montmorency was bound to follow at Verona. The sovereigns were of opinion (in which the French government concluded,) that there was imminent danger to society, in that military anarchy in Spain, in which those principles were put forth anew, which, during thirty years, had occasioned the misfortunes of Europe. From these general conferences, particular questions naturally arose; and cases which were originally involved in the general interests, became the subject of specific discussion.

The result of these frank communications was, that France found herself placed in a position to act separately in a cause which was, as it were, appropriated to her, without, however, separating her policy from that of her allies; so that, according to the impression which the case conveyed, it might be said, without fear of contradiction, that the question respecting Spain was at once "wholly French, and wholly European."

The undersigned, flattering himself that he has given a satisfactory answer to the first objection of his Britannic majesty's principal secretary of state for foreign affairs, proceeds to the consideration of another point.

The cabinet of the Tuilleries have not forgotten, that the principal motive alleged by his grace the duke of Wellington at Verona, for not explaining himself upon the *casus fœderis*, was, the ignorance of his government of the transactions which had taken place between France and Spain, from 1820 to 1822. That objection was removed at the congress, as it will be here, by the single observation, that the grievances of which France might have to complain, on the subject of the Spanish revolution, were unfortunately of public notoriety; and this is what the undersigned will have occasion to develope in the course of this note.

The minister for foreign affairs of his Britannic majesty, in reply to an observation contained in the note of M. le Duc de Montmorency, dated the 24th December, states that the cabinet of St. James's has never admitted that there was a case to justify intervention in the affairs of Spain; and that therefore it might refuse to bind itself for the future by expressing an opinion upon contingent and uncertain events. The undersigned thinks, however, that he has reasons for not doubting that in a *Mémoire* drawn up by the cabinet of London, in answer to a despatch of the court of Russia, and communicated on the 17th May, 1820, by sir Charles Stuart to the French minister for foreign affairs, an opinion is pronounced that an interference in the affairs of Spain would be justifiable; 1st, if the violence of the persons in power led them to an attack against any other states: 2nd, if Spain attempted to possess herself of Portugal, or to effect a re-union of the two states.—This opinion of the British cabinet appeared at the time as conformable with the general interests of Europe, as with particular interests, to the care of which every government has an acknowledged right to attend.

The undersigned regrets that he cannot coincide in opinion with his Britannic majesty's principal secretary of state for foreign affairs, as to the little danger to which the Spanish revolution exposes the other powers of Europe. The state of modern civilization brings one nation into communication with all others, however completely it may be insulated by geographical position. France, especially, the only country whose frontier touches that of Spain, suffers considerably from the troubles which agitate the kingdom of Ferdinand.—A revolution which seems to have taken for its model, that of which the traces are not yet effaced, awakens and agitates in the bosom of France a host of passions and recollections.—Innumerable proofs exist that the revolutionists of Spain and France are in close connexion; and in all the military conspiracies tried by the French tribunals, the name and the hope of the Cortes have invariably appeared. Offenders escaped from justice have found an asylum in the Peninsula, where they menace and insult with impunity, the monarchy and the throne of the Bourbons.—Libels written in French and printed in Spain, are scattered abroad amongst the Army of Observation, for the purpose of corrupting it. And even in the English papers the British government has seen that our soldiers were excited to revolt in the name of Spain. These facts were admitted by implication by his grace the duke of Wellington, when, in his diplomatic notes he extended his approbation to the establishment of the Army of Observation. The very note to which the undersigned has now the honour to reply, confirms all that he here advances, in citing the following expressions of the noble duke.—"The duke of Wellington made no objection in the name of the king, his master, to the precautionary measures taken by France on her own frontiers, whilst these measures were evidently authorized by the right of defending herself, not only against the dangers of infectious disease, but also against the moral contagion of political intrigue; and finally, against the violation of the French territory by casual military incursions."—This admission is remarkable, and besides, did not Piedmont and the kingdom of the Two Sicilies rise in the name of the Cortes; and is any other proof required, that the Spanish revolution may pass the limits of the Pyrennees? France then has the right to defend herself against moral contagion. It is equally necessary for her to secure herself against dangers of another sort, since the French territory has been thrice violated by the constitutional troops of Spain.

That France, disquieted in her interior, and armed on her frontiers for her defence, should be under an imperious necessity to escape from a position so painful to her, is what it is impossible not to acknowledge. Like the British government, she sincerely desires peace. She would not have hesitated in concert with her allies, to accept the mediation of England, if the discussion of specific interest were in question; but it is impossible to establish a basis of negotiation upon political theories, and of arbitration upon principles.

For the same reason France could not accede to the proposal which M. de San Miguel made on the 12th of this month, to the minister of Great Britain at the court of Madrid, in order to engage that power to interfere in the affairs of the French and Spanish governments—an intervention useless, at the least, since it appears that it would have no other object than measures relative to the Army of Observation.

If the cabinet of Madrid is sincere in its communications, does it need an intermediate channel to transmit them to the cabinet of the Tuilleries? The latter does not fear to explain itself. Even recently it has made known the reasonable conditions, by means of which a speedy reconciliation might be effected.

The Comte de la Garde has received orders to communicate confidentially to sir William A'Court the king's benevolent intentions. His most Christian majesty demands, that his Catholic majesty, should, of himself, and by his own authority, apply the necessary modifications to the institutions which have been imposed on the crown of Spain by the revolt of a few soldiers.

To this free concession by king Ferdinand, of the corrected institutions, the king of France thinks that it would be proper to add, a full and complete amnesty, for all political acts committed from 1822, up to the day of promulgating the royal concession.—Thus would disappear from the Spanish constitution, the defects, in substance, and in form, which endanger all legitimate monarchies. The undersigned feels persuaded, that propositions so just and so moderate will obtain the concurrence of all the cabinets of Europe.

The French government having made every sort of sacrifice to the desire of avoiding war; having struggled, perhaps too long, against public opinion, roused by the provocations of Spain—has at length reached that last limit of concession which no power, that respects itself, can with impunity over-step. Injured in her essential interests, France, without ceasing to offer the most ardent prayers for peace, can no longer shut her eyes to the dangers which threaten her. She has already taken, and she will continue to take, the measures best calculated for putting an end to a state of uncertainty, which compromises alike her safety, her honour, and her dignity. Whatever may be the event, France will always have pleasure in relying on the good offices of which the English government has again been pleased to renew to her the proposal. She will herself use her utmost endeavour to draw closer the ties which so happily unite the two monarchies and the two people.

(Signed) CHATEAUBRIAND.

No. 14.—Mr. Secretary Canning to Sir Charles Stuart.

Foreign Office, January 28, 1823.

Sir;—Shortly after I had despatched the messenger yesterday, M. de Marcellus delivered to me the official answer of M. de Chateaubriand to the note addressed by me to M. de Marcellus on the 10th instant.

As it appears from your excellency's despatch of the 24th, which also reached me yesterday that M. de Chateaubriand, though he stated to your excellency the substance of this note, had not furnished you with a copy of it, I think it right to inclose a copy for your information.

Upon a first consideration I am by no means sure that it will be necessary to reply officially to this note of M. de Chateaubriand; since it in effect admits all the material propositions of the note to which it is an answer.

The questions brought forward by France at Verona are acknowledged to have been French questions, in the sense in which they are in my note described to have been such; that is to say, the interest of France is stated in those questions not as distinct from the interest of Europe, but as more immediate:—and it is not denied, that the refusal of his majesty's plenipotentiary to concur in the decisions of Verona, was founded on the omission by France to substantiate any specific ground of complaint against the Spanish government.

In the subsequent part of M. de Chateaubriand's note, while the assertion of my note of the 10th instant, that Great Britain had in 1820 declined anticipating hypothetical cases in which it might be impossible to remain at peace with Spain, is disputed; the only two cases which are cited in exception to that assertion, are cases wholly independent of the principle of interference in the internal concerns of other nations.

It is averred, that we admitted the necessity of war against Spain; first, if Spain herself should be guilty of aggression against other states, and secondly and specifically, if she should attempt to possess herself of Portugal.

Unquestionably, with respect to either of those cases, Great Britain would admit, not only prospectively and hypothetically, and as to Spain, but positively and directly as to any power whatever, that aggression against any of its neighbours would justify war; and that aggression against Portugal would impose upon Great Britain the duty of protecting her ally.

But these admissions leave the question as to the right of interference in the affairs of Spain, where it was.

With respect to that part of M. de Chateaubriand's note which describes the nature of the demands intended to be made by France upon Spain, and takes credit for the moderation of them; your excellency will not fail to observe, that our difference with France and the allies throughout, is not as to the arrangements which it might be desirable to obtain from Spain, but as to the principle upon which France and the allies propose to require them.

We disclaim for ourselves, and deny for other powers, the right of requiring any changes in the internal institutions of independent states, with the menace of hostile attack in case of refusal. The moderation of such demands in no degree justifies in our eyes such a mode of enforcing them; and this distinction it is the more important to keep steadily in view, and to impress upon the French government, at a moment when, for their sake, and at their desire, we are suggesting to Spain, in a tone of friendly counsel, alterations similar to those which France is proposing as the alternative of hostilities.

Your excellency will speak in this sense to M. de Chateaubriand, when you acknowledge on my part the receipt of his official note; from the general tone of which, and from the friendliness of its expressions towards this country, you will inform M. de Chateaubriand, that his majesty's government derives the liveliest satisfaction; at the same time that it views with deep regret the tendency of that part of the note which appears to indicate an expectation of hostilities with Spain. I am, &c.

(Signed) George Canning.

CLASS B.—PARIS AND MADRID.

No. 1.—Mr. Secretary Canning to Sir William A'Court.

(Extract.) *Foreign Office, Dec.* 3, 1822.

In order that you may be fully informed of the manner in which the question of interference in the affairs of Spain has been treated at the conferences at Verona, I have directed copies of the principal communications received from the duke of Wellington on that question, to be prepared for you; and I herewith transmit them to you for your information.

No. 2.—Mr. Secretary Canning to Sir William A'Court.

(Extract.) *Foreign Office, Dec.* 9, 1822.

On the day after I had despatched my last messenger to you, M. de Colomb, the Spanish chargé d'affaires, requested a conference; at which he first read, and then delivered to me, the extract of a despatch from his court, of which I inclose a copy.*

No. 3—Mr. Secretary Canning to Sir William A'Court.

(Extract.) *Foreign Office, Dec.* 9, 1822.

I have received this morning, the duke of Wellington's final despatches from Verona. No argument will be left unemployed on the part of his majesty, which may tend to allay a warlike disposition in his most Christian majesty's councils. His majesty's mediation between France and Spain, if solicited by Spain and accepted by France, would be gladly given and earnestly exerted, to settle the disputes between those powers, and to preserve the peace of the world.

If Spain be disposed to solicit that mediation, she will entitle herself to it, first, by redressing our grievances—and secondly, by a confidential and spontaneous assurance, that his Catholic majesty and his family are altogether safe from violence.

Upon this latter point, it is not intended that you should make any direct demand to the Spanish government. It could not properly find its place in a diplomatic communication to the minister of his Catholic majesty. But M. San Miguel may be easily led to understand, how important an aid would be afforded to any interposition of ours in behalf of Spain, if we could accompany it with the declaration of our entire conviction, that on this point Europe has nothing to fear.

No. 4.—Mr. Secretary Canning to Sir William A'Court.

(Extract.) *Foreign Office, Dec.* 17, 1822.

I transmit to you an extract* of a despatch which has been received from the duke of Wellington at Paris. You may confidently assure the Spanish minister, that no effort has been, or will be left untried, on the part of his majesty, to prevent a war against Spain.

No. 5.—Mr. Secretary Canning to Sir William A'Court.

(Extract.) *Foreign Office, Dec.* 28, 1822.

I re-despatch your messenger with the inclosed copy of an official note† presented to the French government by the duke of Wellington the day before his departure from Paris. You will communicate it to M. de San Miguel; and if desired, will furnish him with a copy of it.

No. 6.—Mr. Secretary Canning to Sir William A'Court.

(Extract.) *Foreign Office, Dec.* 29, 1822.

Sir Charles Stuart has transmitted the answer of the French government to the official note presented by the duke of Wellington, at Paris. In that answer (of which I inclose a copy‡), the French government, while it declines accepting the proffered mediation of his majesty, on the ground that there is no specific point of difference, to the removal or explanation of which mediation can be distinctly applied, expresses nevertheless the pleasure with which it views the "conciliatory dispositions" of the British government, and the hope which it derives from those dispositions, of the continuance of peace in Europe.

Sir C. Stuart at the same time, reports to me, the instructions which have been transmitted by the French government to their ministers at Madrid.§ M. de Marcellus has been with me this morning for the purpose of making, by order of his government, a similar communication.

As the object at Verona was to induce us to make common cause with all; so the object of France, since she has to a certain degree reconsidered for herself the measures framed at Verona, appears to be to induce us to concur in her separate and mitigated measure.

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* See the inclosure in No. 7, of Verona and Paris papers.

* See No. 8, Verona and Paris papers.

† See inclosure No. 10, Verona and Paris papers.

‡ See No. 12, in Verona and Paris papers.

§ Despatch from M. de Villèle to M. Lagarde, dated Paris, December 25, 1822.

The truth is, as you are aware, that our objection to joining in the measures settled at Verona was an objection of principle not of degree; an objection not capable therefore of being overcome by a mere modification of the execution of them.

It would have been idle to offer our mediation to France, if we had been prepared to unite with her in the conditional menace contained in the despatch which she has now addressed to her minister at Madrid—a menace softened perhaps in it's terms, and less precise as to the conditions on which it depends than those of the other continental powers, but still vicious in principle, as at once demanding of Spain something to be done in the arrangement of her internal concerns, and denouncing (in however comparatively distant and obscure a manner) war as the consequence of refusal.

In speaking to M. de San Miguel upon the subject of those instructions, you will disclaim or your government any participation in this proceeding of the French government. But you will avow the deep interest which the king, our master, feels in the agitations now prevailing in Spain; his majesty's anxious hope that the Spanish government and nation may avoid any access, either in action or in language; and his majesty's unabated desire, to employ his good offices, in whatever way may be most useful to Spain, for averting the dangers with which she is threatened, and for reconciling her to France and to all Europe.

No. 7.—Mr. Secretary Canning to Sir William A'Court.

(Extract.) *Foreign Office, Dec.* 29, 1822.

It may be of so much use to you, in the present critical state of things, to have with you some person, in the duke of Wellington's entire confidence, and capable of communicating in his grace's name with individuals whom he has personally known, and who are now in the Spanish government or councils, that lord Fitzroy Somerset has agreed to undertake a journey to Madrid, for the purpose of affording you such assistance. He will set off in the course of next week, and will remain at Madrid as long as you think he can be useful to you.

No. 8.—Sir William A'Court to Mr. Secretary Canning.—Received January 2, 1823.

(Extract.) *Madrid, Dec.* 24, 1822.

Mr. Jackson is arrived, and has delivered to me your despatches of the 9th ultimo. I am now really inclined to believe that we shall come to an amicable and satisfactory termination of our discussions with the Spanish government.

My conversation with M. San Miguel this morning began by his pulling from his pocket a large roll of papers, with which, he said, he was going down immediately to the Cortes, with the view of requesting authority from that body, to settle every question at issue between England and Spain.

"We are sure of England," he said, "and satisfied with her position; and we hope that the Cortes will enable us to make her satisfied with Spain. We cannot expect her to range herself on our side, nor to send troops or fleets to assist us; but we are persuaded that she will never assist our enemies, nor furnish them with the means of invading us. It is moreover so much her interest to prevent war breaking out between us and France, that it is quite unnecessary to ask for her mediation.—There is certainly nothing to induce us to ask for such a mediation at present; but we are at sea, surrounded by dangers, and menaced by storms, and it is impossible to say that we may not yet require a friendly hand. But we see nothing yet to make it necessary for us to ask any mediation, nor have we at present any intention to solicit one."

I have thought it adviseable, sir, to repeat to you this conversation, that you may be able to draw from it your own conclusion as to the probability of our mediation being solicited. I am myself of opinion that such a step will never be resorted to, till every other hope has failed: and certainly there is nothing in the despatches from Paris, nor in the conversations or conduct of general Lagarde, to make this government despair of avoiding a war without our mediation.

No. 9.—Mr. Secretary Canning to Lord Fitzroy Somerset.

Foreign Office, January 6, 1823.

My Lord;—in returning to your lordship the memorandum which the duke of Wellington has put into your hands, of the points upon which it may be advantageous to the king's service, that your lordship should communicate verbally his grace's sentiments to such of the persons now taking a leading part in the affairs of Spain, as may be likely to be influenced by a communication of this confidential nature, I have very little to add to the contents of the memorandum; and that little relates rather to the mode of your acting upon it, than to the substance of the paper itself.

Important as the aid which your lordship will bring to sir William A'Court must be, you will, I am sure, be aware of the absolute necessity of not appearing to be invested with any separate mission, which might detract in the eyes of the Spanish ministers from that gentleman's official or personal authority.

Your lordship will be so good as to consult sir William A'Court's wishes and opinions as to the occasions on which, and as to the persons with whom, you should enter upon the topics entrusted to your discretion; and you will report to him your several conversations, not disguising from the individuals with whom those conversations are held, that you are to do so.

At the same time, however, that you will be thus careful to mark your relation to his majesty's established minister, it will be essential to avoid creating the impression, that the suggestions which your lordship has to offer on the part of the duke of Wellington, as the friend and well-wisher of Spain, are only in another shape demands on the part of your government. A voluntary adoption of the suggestions of the duke of Wellington would enable us to mediate for Spain with France, with an effect infinitely more powerful. But we do not, like France, demand any thing of this sort, as the price of our forbearance to break with Spain.

What is necessary to enable us to mediate for Spain with honour, is the redress of the grievances which we have against her. But that matter is in sir William A'Court's hands; and is, I hope in a train of settlement.

With regard to the length of your stay at Madrid, I have only to refer you to your own and sir William A'Court's joint discretion.

I shall hope to hear from your lordship soon after your arrival, and as often as there is a safe opportunity of writing. I have the honour to be, &c.

(Signed) George Canning.

(Inclosure in No. 9.)—Memorandum by the Duke of Wellington for Lord Fitzroy Somerset.

London, January 6, 1823.

It is important to make the Spaniards feel, that a king being necessary for the government of their country, and a part of their system, as established by themselves—it follows, as a matter of equal necessity, that the powers and prerogatives assigned to the king in the system, should be such as to enable him to perform his duties, and such as, in reason, a king ought to be satisfied with.

If the situation of the king is not what it ought to be—if he has not the power to protect himself, and those employed under him, in the performance of their duty in the service of the public: and if the king has not reason to be satisfied, that the power allotted to him by the law is sufficient—the country will never be in a state of tranquillity, be the system of government what it may.

There will be perpetual, successive, royalist insurrections in one part of the country or the other; and the king and his government will be objects of never-ceasing jealousy and distrust.

The family connection between his Catholic majesty and the king of France—and the interest which the latter naturally feels for the welfare of the former—will occasion a perpetual irritation between the two countries, so long as the situation of the king in Spain is not what it ought to be: which it may be expected will, sooner or later, occasion war, and the invasion of the weaker country.

Thus then, those Spaniards who really desire the peace and welfare of their country, must look to an alteration of their constitution, which shall have for its object, to give the king the power of executing his office. I confess that I do not see any objection to this alteration, either in the antecedent conduct of the king, or in the apprehension that his Catholic majesty will abuse the power thus confided to him. The king will feel the advantages of the position in which he shall find himself, and will have no motive for wishing to overthrow the system established, particularly if the alteration is made in concert with him: and, moreover, the spirit of the people, and the exertions of those individuals who have prevented the existing system from being overthrown, will preserve that to be established, even though the king should be desirous of overthrowing it, by the abuse of the power entrusted to him.

This will be the case particularly, if the proposed alterations of the system are concerted with the king. Indeed, no other mode of making those alterations can have the desired effect: as, if they are not made in concert with the king, his Catholic majesty will not cordially carry into execution the system proposed; and, both king and people being dissatisfied, there will still be the same causes for internal disturbance and for external war as exist at present. The concert with the king on the alterations must be a real one: and the king must be satisfied, that the consitution, as altered, will secure the foundations of his power over the executive government, and will give him the means of protecting himself, his family, and his servants.

Neither do I see any reason for deferring to make these alterations in the recent transactions of foreign powers. Those transactions are all professedly defensive. France professes, by her Army of Observation, to be defensive; and declares that she will not pass the frontier, excepting on the occurrence of certain cases. The alterations of the constitution, on the principles proposed, would render those cases so improbable, as that the continuance of the Army of Observation would be an useless expense; and there is no doubt that it would be immediately withdrawn.

Then, another advantage which would result from this alteration in aid of internal tranquillity is, that France would most probably immediately adopt some efficient measure to prevent the assembly of the royalists within the French frontier. All Spaniards who pass the frontier, might be ordered to reside at such a distance from the frontier, as to render their intrigues or their operations within the Spanish frontier nearly impossible; and thus the asylum given in France to persons of this description, would not be inconsistent with the peace and tranquillity of Spain.

But this is not all. The Spaniards must see that all the sources of the prosperity of their country are nearly destroyed; and that the very foundations of social order and government are in a state of risk. There is no trade, no private or public revenue: the national property cannot be sold: the interest of the national debt cannot be paid; nor can the army, or any of the public servants or establishments; and no money can be borrowed.

I happen to know that the principal monied people in Europe, will not lend their money to Spain, till they shall see a system prevail in that country, which shall afford some hope of the re-establishment and permanence of peace and good order.

If all this be true—if it be true, besides, that the best chance that Spain has of coming to some arrangement with her colonies, is to be found in some settlement of her internal dissensions and distractions, it is impossible that any reasonable Spaniard can doubt that the time is come, to effect those alterations, which the common sense of mankind points out to be necessary.

No. 10.—Mr. Secretary Canning to Sir W. A'Court.

Foreign Office, January 6, 1823.

Sir;—This despatch will be delivered to you by lord Fitzroy Somerset, who has the goodness to undertake a journey to Madrid (without any official character), in the hope of being useful to you in the very difficult and complicated state of your present negotiations, through his acquaintance with some of the prominent characters, among military and other public men, in Spain; and through the knowledge which he possesses, and is known to possess, of the views and opinions of the duke of Wellington.

There may be those among the leaders of the Cortes, or in offices of the executive government, who would listen to friendly counsels, coming from a man to whom Spain is so deeply indebted as the duke of Wellington, and to whom her welfare is naturally so dear, from the very services which he has had the glory of rendering to her, though they might turn a deaf ear to any other suggestions.

The object of England is, to preserve the peace, of which her exertions have prevented the immediate interruption. But it is much to be feared that peace cannot be preserved, if things remain in their present state, both at Madrid and on the frontier of Spain.

France can hardly be expected to withdraw her Army of Observation, without some assurances from Spain, which she may plead as satisfactory. We ask no such assurances for ourselves, and we annex no penalty to the refusing or withholding them: but it would enable us to do much, that such assurances should voluntarily be given to us; and perhaps they may be given less reluctantly through the confidential friend of the duke of Wellington, than directly to yourself, even if you were authorized officially to receive them. The interval is precious, and it is hoped that it may not be thrown away.

I inclose to you a copy of a letter* which I address to lord Fitzroy Somerset, and of a memorandum with which he is furnished by the duke of Wellington.

You will see that he is to consult your judgment as to the occasions on which, and the individuals with whom, it may be expedient that he should enter into communication; that he will repeat to you whatever passes in such conferences; and that the length of his stay and the time of his departure are to be determined with your advice. I am, &c.

(Signed) GEORGE CANNING.

No. 11.—Mr. Secretary Canning to Sir William A'Court.

(Extract.) *Foreign Office, Jan.* 9, 1823.

Inclosed is a copy of an official note* which I have received the king's commands to address to the French chargé d' affaires in London, in reply to the duke de Montmorency's answer to the note of the duke of Wellington of the 17th ult. which tendered to the French government the mediation of his majesty for the adjustment of its differences with Spain—You will communicate my note to the Spanish minister.

Our position between France and Spain is strictly mediatorial, even though neither of the two states should (for different reasons) think fit to avail itself of our formal mediation: and though we are not invested with the office, we must endeavour practically to perform the duties of it.

I have received the king's commands to signify to you his majesty's gracious approbation of the ability, zeal, and perseverance with which you have executed the instructions heretofore confided to you, with respect to the commercial and maritime claims of his majesty's subjects—the settlement of which after so long a course of complaint and remonstrance, will be mainly to be attributed to your exertions.

The difficulty of the task imposed upon you by the tenor of those instructions, contrasted as they are with the more acceptable communications which you have subsequently had to make to the Spanish government, is fully acknowledged; and your success in reconciling two apparently opposite courses of conduct, and producing (as it is hoped you may do) a favourable result in both, will be proportionably appreciated by your government.

If any thing of personal indisposition towards yourself, shall appear to have been excited in the mind of those with whom you have had to negociate, from the pertinacity with which you have been directed to press the unpleasant topics of your late conferences, you will not scruple to set yourself right, by throwing the whole responsibility upon your instructions.

It would have been very desirable indeed, if it had been proper, to qualify the unpleasantness of those instructions, by accompanying them with some distinct intimation of the part which the plenipotentiary of his majesty was taking in Spanish affairs at Verona: but such an intimation of our separate opinion could not be given, in fairness to the allies, while their deliberations yet continued, and while the result of those deliberations was undetermined or unknown.

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* No. 8, and Inclosure therein.

* See No. 13, in Verona and Paris Papers.

Now that the whole of our conduct is before the Spanish government, you will assuredly find no difficulty in convincing them of the correctness of both parts of it; in showing them that a determination to vindicate our rights against Spain was not incompatible with a respect for her national independence; and in availing yourself of the removal of that dissatisfaction, which must always have tinged our intercourse with the Spanish government, while our just grievances remained unredressed, to impress upon M. de San Miguel our desire to prove, by our good offices in Europe, how little any feeling of hostility entered into the measures to which we were compelled to resort for the defence of our honour and our interests in America.

(Extract.) No. 12.—Sir William A'Court to Mr. Secretary Canning.—Received Jan. 9, 1823.

Madrid, December 26, 1822.

I saw M. de San Miguel again this morning, who continued to speak in the same friendly tone as during our last conference, and repeated his assurances that every thing respecting our claims should be arranged to our entire satisfaction, provided the Cortes granted him the faculties he demanded.—This I trust will be done.

In the course of this conference M. de San Miguel said, that he fully understood our position, and our friendly intentions towards Spain; which arose indeed from a conviction of our own interests. It never could tally with English policy that France should be in military occupation of Spain.

He then added, that, from every report which had lately reached him, he did not believe that any war was likely to take place. The Congress was over, and the great continental sovereigns had retired to their respective states, leaving every thing to France: and he had reason to believe that France was by no means in those decidedly hostile intentions, which there had once been reason to apprehend.

With respect to the possibility of any future solicitation of British mediation, he gave me to understand that it was a question of so delicate a nature, and necessarily so dependent upon contingencies, that he wished, at present, to say nothing upon the subject. If ever such a solicitation took place, it would bed one in the most open, frank, and unreserved manner, by an official written document, which should leave no doubt upon the mind of one party, as to the intentions of the other.

I shall draw no inferences from this conversation, nor argue upon the probability or nonprobability of our mediation being solicited; as you, sir, will be much better able to judge correctly of this matter, from the communications you receive of what is passing in the cabinet of the Tuilleries. This despatch will be forwarded by a Spanish messenger, who leaves Madrid for London, either this evening or to-morrow morning.

No. 13.—Mr. Secretary Canning to Sir William A'Court.

(Extract.) *Foreign Office, Jan.* 11, 1823.

I was about to send this messenger to you the day before yesterday, with my despatch of that date, when yours by the Spanish messenger arrived.

Its contents, though not conclusive, are highly interesting; and if the hopes which you hold out, with respect to the settlement of our claims, are realised, you will have rendered a great service to your country.

You have judged quite correctly in not pressing the mediation of his majesty. The refusal of the French government puts any formal exercise of it now out of the question. But, substantially, our good offices may do all that the most regularly accepted mediation could have done.

The position in which the Spanish and French governments stand towards each other cannot last. Every day brings with it the hazard of an ccidental infraction of peace on the frontiers; and the smallest such infraction might confound all our hopes and endeavours. Till France shall withdraw her Army of Observation, there is no security against such hazards. France cannot withdraw her army (it is fair to admit) without some cause to assign for doing so. The only cause to be assigned must be some satisfactory assurances received from Spain. Spain may be reluctant to give such assurances to France, under the apparent influence of a menace. But she may confide them to us, who neither require them, nor threaten any consequence of withholding them. If Spain has griefs against France, she may, in like manner, confide to us the statement of them, as an inducement to France to be satisfied with less concession.

Such is the summary of the present state of things, on which depends the fearful alternative of peace or war. We earnestly desire the former; not only for our own interest, as M. San Miguel suggests, but for the larger interests of Europe (those of Spain herself included), in which ultimately, if not immediately, our own no doubt may be involved.

We wish for peace, therefore, in Europe: but peace for ourselves we are determined, at all events, to preserve; and should our efforts to maintain it between France and Spain prove abortive, we shall have the consolation to have discharged the duty towards both, of a faithful and disinterested ally; and shall retire thenceforth within the limits of a strict neutrality.

This last topic you cannot state too clearly, nor press too strongly upon M. San Miguel; as there are not wanting those who may wish to inspire him with the notion that the anxiety which we manifest to rescue Spain from the war, is an earnest of a determination to join her in the war, if it should come upon her. I have discouraged in the most decisive manner some obscure indications of a wish and hope of this kind, in the Spanish mission in this country.

No. 14.—Sir William A'Court to Mr. Secretary Canning.—Received Jan. 20.

Madrid, Jan. 7, 1823.

Sir;—Long before this despatch can reach you, the final determination of the cabinets of Austria, Russia, and Prussia, as well as that of the cabinet of the Tuilleries, will have left little doubt on your mind as to the probable issue of the negotiations (if negotiations they may be called) undertaken with the government here.

It is therefore unnecessary for me to do more than give a succinct statement of events in this capital, from the period of their arrival to the moment of writing this despatch.

The French minister, as might have been foreseen, had the start of his colleagues, having received his letters two or three days earlier than they received theirs. He made use of this time to give that favourable impression of the intentions of his government, to which his attention appears to have been directed by his instructions; and he had already prepared the Spanish government thoroughly to understand the position in which France had placed herself, long before any intimation could be given, by the representatives of the other continental powers, of the intentions of their respective courts.

The Spanish government, thus set comparatively at ease with respect to France, and sure of the neutrality of England, could not be expected to pay any very great attention to the vague suggestions of three distant powers, couched in language very far from conciliatory. Instead then of any intimidation being exhibited, or any point being yielded, the tone adopted by the Spanish government has been that of conscious security. No written answer to the several communications has indeed been given; but it has been promised: and there is every reason to suppose that, when it arrives, it will be found to be in the sense which this feeling would naturally dictate; and that the departure of the Austrian, Russian, and Prussian representatives must necessarily follow. The French minister will remain.

I must do the Spanish government the justice to say, that, so far as I can perceive, it has not assumed any improper manner, or exhibited any extraordinary presumption upon the present occasion. M. de San Miguel, indeed, in his conversations with me, since the arrival of the despatches above-mentioned, has spoken in a tone of much greater moderation, and has held out much greater hopes for the future, than he ever ventured to express before:—he more than insinuated, that modifications might be effected, whenever the country should be relieved from the danger of foreign interference.

The contents of the communications made have not yet been sufficiently digested by the public, to allow me to speak with any certainty of the general feeling. Upon the whole, however, I do not observe any very great effervescence; nor do I, as yet, see any reason to fear that any personal insults will be offered to the representatives of the allied sovereigns. The town remains perfectly tranquil. I have done, and shall continue to do, every thing in my power to allay the irritation which may exist, and to prevent the adoption of violent measures. The friendly and cordial footing upon which M. San Miguel and I now stand, makes me hope that my endeavours will not be entirely useless. I have the honour to be, &c.

(Signed) William A'Court.

No. 15.—Sir William A'Court to Mr. Secretary Canning.—Received Jan. 20.

Madrid, Jan. 10, 1823.

Sir;—The despatches received and communicated to this government, by the representatives of the three continental powers, were yesterday presented and read to the Cortes, by M. de San Miguel, in a public sitting. He at the same time read the answer addressed to the Spanish minister at Paris, but previously communicated to M. Lagarde; and the despatches addressed to the Spanish representatives at the courts of Austria, Russia, and Prussia, in answer to the communications made by the respective chargés d'affaires of those powers residing here.

The answer to the French despatch contains nothing that can be deemed offensive. The answers to the others will probably be considered in that light. I inclose a gazette containing all those documents, which the immediate departure of the courier will prevent me from getting translated.

The Cortes exhibited a great degree of temper and moderation. M. M. Arguelles and Galiano immediately moved that no discussion should be entered into for the moment, but the whole be referred to the foreign committee; alleging, that a certain time should be given for passion to subside—it being highly desirable that the members should come to the discussion of so grave a subject, with the temper and decorum becoming the Spanish character and nation. The papers were consequently referred to the committee for foreign affairs, to report upon the same; and the committee was also instructed to prepare an address, to be presented by the Cortes to the king, pledging the nation to reject all compromise with foreign powers, unbecoming the dignity of their country; and expressing their determination to die, if necessary, in defence of the constitutional throne. The committee was ordered to report in forty-eight hours.

As it was not very generally known that these documents were to be publicly read, the House was by no means full. The galleries were disposed to be a little riotous, venting their constitutional ardor in repeated cheers, and a few ill-supported cries of "Death to all Tyrants, &c. &c." Upon the whole, however, the sitting may be said to have passed over with order and tranquillity.

I cannot help thinking, that some of the moderation exhibited may be due to the language which I have uniformly held, as well to M. de San Miguel, as to others who have considerable influence. I certainly prevailed in preventing passports from being sent, unasked, to the three chargés d'affaires, as was at first intended. This is perhaps not gaining much, as they will be immediately applied for by them; but still it prevents what might hereafter be construed into a fresh ground of offence, on the part of this government.

Not to leave any measures untried for the preservation of peace, I have also opened myself in the most unreserved manner to the French minister, offering to co-operate with him by every means in my power for that first of objects. Till within these few days, he appeared to be as anxious as myself to prevent things from coming to extremities; but since the arrival of the last courier from Paris, I have observed a difference in his tone, which I cannot but attribute to fresh instructions. He informed me yesterday that it would be impossible for him after the departure of his three colleagues, to allow the slightest offence or insolence to pass without immediately demanding his passports. The persuasion upon his mind now seems to be that a war is inevitable.

If the French government be determined on war, it will certainly be impossible for us to prevent it from taking place: yet I have very strong reason to believe, that I shall receive from the Spanish government, within forty-eight hours, an application for our good offices (though I fear not for our mediation); and I cannot but hope, that if this be the case, it will give a fresh aspect to affairs. If such an application reach me, I shall request Mr. Jackson to set off with it immediately for London: but I cannot assure you positively that it will be made, till I hold the application in my hands. I have the honour to be, &c.

(Signed) William A'Court.

No. 16.—Sir William A'Court to Mr. Secretary Canning.—Received Jan. 21.

Madrid, Jan. 12, 1823.

Sir;—In my despatch of the 10th instant, I stated to you that I had reason to believe that a note would shortly be addressed to me, requesting the good offices of England, with the view to prevent the breaking out of a war between this country and France.

This note has reached me, and I have the honour to inclose a copy of it herewith. I have requested Mr. Jackson to proceed with it directly to England; and have selected him the rather, from the persuasion that no one is better qualified to give you verbally those further explanations, which, under the present circumstances, I can hardly venture to write.

If France be pacifically inclined, something may yet grow out of this overture, to prevent that recurrence to arms, the consequences of which it is impossible to foresee. France may state what she wants to Great Britain; who may thus become the medium of her communications with this government, in the event of the departure of her minister. This appears to me, at all events, to be the last hope that remains for the preservation of peace; and therefore, faint as it is, it should not be rejected. I have the honour to be, &c.

(Signed) William A'Court.

(Translation of Inclosure in No. 16.)—M. de San Miguel to Sir William A'Court.

Madrid, January 12, 1823.

Sir;—Under date of the 9th inst. an official copy of the late communications which the representatives of France, Austria, Prussia and Russia at this court, have made to the Spanish government, by order of their respective courts, together with the answers given to them, was forwarded to Mr. Jabat, his majesty's minister plenipotentiary in London. At the same time orders were given to the aforesaid minister, to read the whole of this correspondence to his Britannic majesty's secretary of state for foreign affairs, and to declare to him, that the principles and resolutions of the Spanish government would never differ from those consigned in these documents.

His Catholic majesty's government will, consequently, have but little to add in the note which I have now the honour to address to you, by royal order, together with the inclosed gazette; which contains an official and authentic copy of the communications in question, which are not forwarded to you for want of time.

You, sir, who have been an eye-witness of the events which have occurred in this capital during the last three months, and of the scene which it has presented during the last three days, can inform your government better than any one else, of the firm determination of all Spain to defend her national independence at all hazards, and never to acknowledge a right of intervention on the part of any foreign power. The justice of the cause of the nation is so obvious, and its right to be independent so sacred and imprescriptible, that his majesty's government would think it an affront to your judgment, sir, to dwell any longer upon this point.

Any defect which the present constitution of Spain may have, ought to be discovered and remedied, freely and spontaneously, by the nation itself. The contrary would tend to establish a right of the most terrible and insupportable oppression. The Spaniards are, at present, identified with the constitution promulgated in 1812.—They all behold in their present monarch Don Fernando the 7th, the sacred and inviolable person of their constitutional king; and it cannot be concealed from you, sir, that this respect professed to the king, is extended to all the members of his royal family.

Spain, unvarying in her principles, awaits calmly, the result of the answers which have been given to the communications of the four great continental powers; but she flatters herself, however, that blood will not be shed in Europe, for questions so evident in themselves; and that France will lay aside her system of precaution, as she calls it *(su llamado sistema de precaucion)*, which, without being of the slightest utility to her, is the source of so many evils to Spain.

To England, who has taken in the conferences at Verona so moderate and pacific a line, it now belongs to crown the work; and to prevent an effusion of blood, which can be productive of no possible advantage to the interest of any nation. To England too belongs the task of making the French government perceive the error which it is committing, in taking measures and precautions, which only produce contrary results to those, which it states itself to have in view.

The existence of its Army of Observation on the Pyrennees, and the protection afforded to the insurgents, are entirely incompatible with that tranquillity, which the French government says it wishes Spain to enjoy.

His Catholic majesty's government hopes that this fatal contradiction will at length disappear:—and, in attaining this object, it feels that it can no where look for more effectual assistance, than from the cabinet of Great Britain, the exercise of whose influence to this effect, will not, it trusts, be denied.

I beg, sir, that you will be pleased to lay before your government, the communication which I have now the honour of making to you, and I embrace this opportunity of renewing to you the assurances, &c. &c.

(Signed) Evaristo San Miguel.

No. 17.—Mr. Secretary Canning to Sir Charles Stuart.

Foreign Office, January 24, 1823.

Sir;—I enclose to your excellency a copy of a note* which M. de San Miguel, the Spanish secretary of state, addressed to sir William A'Court on the 12th instant, and requested him to transmit to his government.

The object of this note is, as your excellency sees, to obtain the good offices of his majesty's government with France, for the purpose of averting hostilities.

It is needless to repeat to your excellency, how anxiously the king our master deprecates a war between two powers, whose collision must so deeply affect the general tranquillity of Europe; or how confidently his majesty infers from the desire for peace, so repeatedly expressed by his most Christian majesty's government, a disposition on their part to avail themselves of every opening for adjustment and explanation with Spain.

I have therefore received his majesty's commands to direct you to request an audience of M. de Chateaubriand, so soon as this despatch shall reach you; to read to him M. de San Miguel's note; and to inform him, that Mr. Jackson (who was the bearer of sir William A'Court's last despatches, and by whom this despatch will be delivered to you), will wait at Paris, for the result of the deliberations of his most Christian majesty's cabinet upon M. de San Miguel's note, in order to convey to sir William A'Court your excellency's report of that result.

In your conversation with M. de Chateaubriand, your excellency is not to over-rate the value of the concessions, implied, rather than distinctly expressed, in the note of M. de San Miguel; nor to represent it as completely satisfactory, and as leaving nothing to be desired:—but it is just and reasonable, at the same time, to consider the circumstances under which it was written.

Assuredly the more enlightened part of the government, or of the Cortes, of Spain, does not believe the Spanish constitution of 1812 to be, in all its parts, usefully and permanently practicable. But if there exist imperfections in the frame of the government of France, or of England respectively, should we consent to reform those imperfections, on the demand of a foreign power, and under the menace of a foreign war as the penalty of our refusal?

Even by the mode in which the demand was made by France, that part of the Spanish government or nation, which might be willing to undertake those ameliorations of the present constitution of Spain without which it is alleged to be unsafe to her neighbours, has been placed in a situation of great difficulty. Is it not plain, that the same proposition completely changes its nature, according to the manner in which it is brought forward?—that one, which, if submitted through the regular channels of diplomacy, might be matter of wholesome advice or amicable remonstrance; when addressed to a nation aloud, and in the presence, as it were, of all the world, becomes a taunt and a defiance? The publication of the despatch to M. Lagarde, while it was yet on its road to Madrid, is, I know, defended by the alleged necessity of tranquillizing the public mind at Paris. But if the public mind at Paris required to be tranquillized, was not the public mind at Madrid liable to be inflamed?

Your excellency will not understand these observations to be made with any view of inculpating the proceedings of the French government, with which, abstractedly, we have no concern.

I would recall M. de Chateaubriand's attention to the situation in which the French government has placed itself towards Spain, by the manner in which her first alternative for war has been propounded—only for the purpose of impressing upon the French government the necessity of not omitting any fresh opportunity, however little promising they may deem it, for again stating to Spain the grounds of their dissatisfaction and the nature of their demands.

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* See Inclosure in No. 15.

The French government desires to assure itself of the safety of the royal family of Spain, and of a disposition in the leading members of the Cortes, as well as of the government, to turn to advantage any occasion that may occur, or that can be created by a prudent and gradual course of measures, for the remedy of the defects in the Spanish constitution:—a channel is now opened to the French government for endeavouring to arrive at those assurances. A precipitate removal of the royal family from Madrid—would be the instant and infallible consequence of the march of a French army across the frontier. If the amendments in the Spanish constitution are absolutely necessary, and it is hopeless to bring about those amendments otherwise than by arms—has the French government chalked out to itself the course by which a successful invasion is to be made to lead to the desired result? The occupancy of Madrid, as repeated experience shows, is not the dominion of Spain. The king, and the Cortes, will be established elsewhere, and what is then to follow but a continuance of civil and foreign war, spreading misery and devastation over the whole kingdom?

These considerations your excellency will suggest to M. de Chateaubriand, in a tone of perfect amity and good-will; and with the assurance of the most entire persuasion, on the part of his majesty's government, that the prosperity and tranquillity of France are objects in which Great Britain has, herself, the deepest concern. It is seen and acknowledged here, and acknowledged with no feelings but those of congratulation and satisfaction, that every year's continuance of peace to France, must consolidate more and more her political institutions, and promote those improvements in her interior condition and resources, which assure to her the high rank that she holds among European nations. But in proportion as we feel this sentiment sincerely, we deprecate the fearful experiment of a war, in which there is so little to gain by success; and at a hazard which appears to us as imminent as unnecessary.

The immediate object, however, of your interview with M. de Chateaubriand, is to bring before him the overture from M. de San Miguel; to offer his majesty's minister at Madrid as a channel of communication with the Spanish government; and to assure the French government of the anxious desire of his majesty, to promote, in that or in any other way, the attainment of such a settlement with Spain, as France may deem consistent, not only with her safety but her honour.

This despatch will be delivered to your excellency, I hope, on Sunday; so that you will have an opportunity of communicating to M. de Chateaubriand the Spanish note, the day before the meeting of the Chambers.

I trust the new opening which it affords for discussion and possible accommodation, may be felt as some relief to the French government, under the difficulties of their present position. I am, &c.

(Signed) GEORGE CANNING.

No. 18.—Sir William A'Court to Mr. Secretary Canning.—Received January 26.

(Extract.) *Madrid, January 15th*, 1823.

Nothing of any material importance has occurred since Mr. Jackson left Madrid. There is a party labouring hard at the present moment to bring about the publication of a general amnesty. I shall do every thing in my power to forward the adoption of this measure, by representing the favourable impression it will not fail to produce throughout Europe.

No. 19.—Sir Charles Stuart to Mr. Secretary Canning.—Received, January 26.

(Extract.) *Paris, January* 23, 1823.

I saw M. de Chateaubriand yesterday. He told me that the duke of San Lorenzo had communicated to him the instructions which had been laid before the Cortes — that he must admit the moderation with which M. de San Lorenzo had spoken, respecting the situation of the two governments; but that a conciliatory tone is assumed by the agents of Spain, which does not prevent the adoption of principles the most incompatible with the tranquillity of Europe, by the government and by the legislature of that country—that at the moment they admit all the defects of their constitution, their readiness to concur in measures to produce a change, and their wish for the publication of a general amnesty, their societies are the most active in their endeavours to organize revolt in France:—in short, that the enormity of the evils resulting from war is not to be compared with the consequences which must result from the success of intrigues which the French ministers have no means of preventing during the continuance of peace. Without questioning the sincerity of the efforts of his majesty's government to maintain peace, he is convinced that it is impossible seriously to press the subject on the Spanish government in sufficient time to lead to the result we desire. The language of the French ministers shows that they would be glad to avail themselves of the publication of an amnesty, accompanied by any change, however trifling, if brought about by the authority of the king of Spain, which might enable them to avoid a declaration of war.

No. 20.—Mr. Secretary Canning to Sir William A'Court.

Foreign Office, January 26, 1823.

Sir;—Mr. Jackson arrived here on Tuesday night with your despatches to the 12th of this month, and on Friday that gentleman was re-despatched to Paris with instructions to sir Charles Stuart, founded on M. San Miguel's note of the 12th instant, requesting the good offices of his majesty for the prevention of war with France. A copy of these instructions his excellency is directed to transmit to you by Mr. Jackson, and to apprize you of the result of his execution of them.

Since Mr. Jackson's departure for Paris, I have received your despatch of the 15th instant, and therewith despatches from sir Charles Stuart, which appear somewhat more favourable to the preservation of peace, than any of the late reports from Paris.

As you will receive by Mr. Jackson, intelligence from Paris of five or six days later date, and so much the more important as the meeting of the French chambers will have taken place in the interval, it is useless for me now to speculate on events, which will be to you, when this despatch reaches you, matter of positive information.

I shall therefore at once proceed to state the course which you are to follow in either of the two possible alternatives,—1st, of the government of France having decided for war,—or 2dly. of its having consented to avail itself of the opening presented by M. San Miguel's note; and to make known through you to the Spanish government, the conditions on which it may be prepared to withdraw its Army of Observation.

In the former case, you have nothing to do, but to profess anew his majesty's fixed determination, to maintain during the war a strict and impartial neutrality: always ready at the same time to listen to any call for the renewed interposition of his good offices; if balanced success, or a reviving sense of common danger and mutual interests, shall better incline the contending parties to accommodation.

In the other case, you will probably receive from sir Charles Stuart a statement of the terms which the French government deem indispensable, either for their honour or for their safety, in breaking up that system of precaution, the continuance of which operates as a bar to pacification: and the time will then be arrived at which you can, without the suspicion of a dictatorial or an un-called for interference, press earnestly upon M. San Miguel a frank and friendly opinion, in support of such of those terms as appear to you to be not unreasonable. The amnesty which, if issued in the king's name, would, as it appears from sir Charles Stuart's despatch of the 23rd, be satisfactory to the French government, it is unnecessary for me to instruct you to urge; since you have informed me of your intention to urge it to the utmost of your power. Neither you nor the French government have over-rated the effect which such an act would be likely to produce throughout Europe.

To liberate the person and family of the king not only from danger, but from the appearance of restraint,—to give something like force and free-will to the actions of the executive power—to rescue the deliberations of the Cortes from the overawing influence of the Clubs—are, next after the amnesty (which should perhaps precede them all) the alterations the most desirable, and those which would give the greatest confidence to foreign nations.

These and any other objects of the same sort and with the same tendency, we are now, after the clear and practical proofs which we have given of our indisposition to claim any thing as of right, or to enforce any thing by menace, for the amendment of the Spanish constitution, warranted to recommend, with all the earnestness which is prompted by our tried friendship for the Spanish nation; by our experience of the practice of free government; and by our conviction of the sufferings and the perils which must be derived to Spain, and to Europe from war.

So long as our voice might have been confounded with those of other powers, who took a different measure of their right of interference—or with that of France, whose exhortation was accompanied with denunciations of hostility, we abstain from advising, rather than incur the imputation of attempting to control. But now, that the possibility of such misrepresentations is at an end, we cannot see the obvious dangers into which the present course of Spanish affairs is leading a brave and gallant people, and be silent; without abandoning the duty which is prescribed, no less by the obligations which international law imposes upon friendly states, than by the peculiar ties which connect Great Britain with Spain.

You will keep sir Charles Stuart constantly informed of the course of your discussions with the Spanish ministers. I am, &c.

(Signed) GEORGE CANNING.

No. 21.—Mr. Secretary Canning to Sir William A'Court.

Foreign Office, January 28, 1823.

Sir;—I inclose to you a copy of the official answer* from his most Christian majesty's secretary of state, to my note of the 10th instant, a copy of which I inclosed to you in my despatch of the same date. This note was delivered to me yesterday by M. de Marcellus. I cannot better explain to you the opinions of his majesty's government upon it, than by inclosing to you a copy of a despatch which I this day address to sir Charles Stuart. I am &c.

(Signed) GEORGE CANNING.

No. 22.—Sir Charles Stuart to Mr. Secretary Canning.—Received January 30.

(Extract.) *Paris, January* 28, 1823.

I received your despatches of the 24th instant on Sunday evening. I immediately called upon M. de Chateaubriand, for the purpose of communicating to his excellency the note from M. de San Miguel, under date the 12th instant; and on the following morning I went over the reasoning contained in your letter, with a view of pointing out to the French minister, the necessity of not closing the door against an overture which offers the only remaining chance of maintaining the tranquillity of Europe.

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* No. 14, and 15 of the Verona and Paris Papers.

The French minister told me, that the substance of M. de San Miguel's paper had already been transmitted to him from Madrid; but that it had not been communicated to him sufficiently at length to show that M. de San Miguel merely demands the dissolution of the Army of Observation, without holding out any hope whatever of a concession upon points which menace the vital tranquillity of this country; though he must be well aware that, in the present situation of affairs, no French minister would be bold enough to propose such a measure, unless it should be justified by a corresponding concession on the part of Spain.

He added, that, under these circumstances, the king is compelled to assume a decisive tone in his discourse to the legislative bodies; and that in announcing the cessations of the diplomatic relations between the two governments, it is necessary to show that they cannot be re-established until the origin of the mischief, with which the Spanish revolution menaces neighbouring countries, has been removed; by assimilating their institutions to those of other limited monarchies, under an act on the part of the king of Spain declaring the constitution to emanate from the crown.

He hoped the anxiety of my government to maintain peace, would induce you to instruct sir William A'Court to convey these sentiments to the knowledge of the Spanish government; and to impress upon the ministers the expediency of not refusing to admit the only measure of which it is possible, in the present situation, to take advantage, with a view to the attainment of that object.

No. 23.—Sir Charles Stuart to Mr. Secretary Canning.—Received January 30th.

Paris, January 28, 1823.

Sir;—I inclose a printed copy of the Speech which his majesty the king of France pronounced from the throne upon the assembly of the legislative bodies this morning. I have the honour to be, &c.

(Signed) Charles Stuart.

No. 24.—Sir Charles Stuart to Mr. Secretary Canning.—Received February 2nd.

(Extract.) *Paris, January* 30, 1823.

Having sent off a messenger on Tuesday, at the moment a printed copy of the Speech from the throne was put into my hands, I was unable to make any observations upon that subject in my despatch of the same day.

M. de Villèle, whom I accidentally met on Tuesday evening, appeared surprised to find that I did not consider the language of the speech perfectly in unison with the tenour of his excellency's former assurances. He said that, the violent alternative, to which the king refers, is mentioned in a *conditional* sense.

I could not avoid expressing my regret, that this public manifestation of demands for such changes in the Spanish constitution, as the leaders in that country would hardly be persuaded to attempt, should not leave his most Christian majesty the means of receding from the position in which he has been placed.

Notwithstanding the strong evidence of preparations for hostilities, I find both this minister, and his colleague, M. de Chateaubriand, continue to answer the representation of the consequences which must result from a rupture, by assurances that they do not participate in my uneasiness upon the subject, because they yet continue to entertain hopes that war will not take place.

No. 25.—Mr. Secretary Canning to Sir Charles Stuart.

Foreign Office, February 3, 1823.

Sir;—On the same day on which your excellency's despatches of the 28th, one of them inclosing the speech of the king of France at the opening of the Chambers, arrived here, M. de Marcellus called upon me for the purpose of communicating a copy of that document.

In making this communication, M. de Marcellus took occasion to declare the unabated desire of his government for the preservation of peace; to renew in a more precise and formal manner their request of his majesty's good offices for that object; and to express their hopes, that our intervention at Madrid might yet avert an extremity, which (it must be confessed) the language of the French speech, unaccompanied by such a commentary, might have been understood to announce as unavoidable.

Such an intimation from the French ministry, at the moment when the decision of the king of France for war is the subject of general regret and alarm, places his majesty's government in a situation of great embarrassment; an embarrassment which is the more sensibly felt by them, on account of the necessity of making some disclosure of opinion in the speech to be delivered from the throne, at the opening of the session of parliament. On the one hand, his majesty's government would not willingly either risk the misfortune, or incur the responsibility, of closing, by any act of theirs, the door which the French government declare to be still open. On the other hand, the sense of the suspensive and conditional particle in the speech of the king of France, on which the possibilities of peace are supposed to hang, is so much obscured by the ambiguous character of the condition with which it is connected, that it is very difficult to estimate its real value.

It has become necessary on this occasion, to reconsider maturely the position in which his majesty's government stands towards that of France.

The answer which has uniformly been given by the British government to the questions put by France, as to the course which his majesty would pursue in a war between France and Spain, has been, that no opinion could be formed on that point, in the ignorance in which his majesty's government were as to the causes of complaint which France might have against Spain. Nothing has even yet been precisely stated to them on that subject. General danger from the nature of the present political institutions of Spain — danger to the king and royal family of Spain — attempts on the part of the Spanish government to corrupt the minds of the French people, and to seduce the soldiers of the Army of Observation:—these, coupled with the undeniable facts of three or four occasional violations of the French territory, constituted the sum of grievances which have been alleged, at different times, against Spain by the French government, up to the publication of the speech of the king of France.

In charges such as these, especially when urged (as some of these were at Verona) only as the grounds of a system of defensive preparation, his majesty's government saw nothing which rendered an accommodation hopeless. Spain on her side has, or professes to have, grievances to plead against France, of similar intermeddling with her people and her army. She alleges that France has encouraged dissension and disaffection at Madrid; and that she even by money and other means, fomented and stimulated the tumult of the 7th of July.

Such mutual recriminations appeared to the British government to furnish the elements of a discussion, in which something would be to be explained on either side; and in which reconciliation might at last result from mutual compromise and concession.

In this state of things the mediation of Great Britain was offered; and, under these impressions, her good offices have been employed. The question so far turned, principally, if not exclusively, upon facts; there was no declaration of principle absolutely precluding negotiation. But as the nature of the present political institutions of Spain was put forward, as being of itself a source of danger to France, and, at the same time, as susceptible of modifications by the voluntary act of Spain herself, which would remove the apprehension of that danger, and consequently open the way to amicable discussion on other points; the British government endeavoured to learn from France, what were the modifications in the Spanish constitution, which would give to France an assurance of safety and tranquillity; and they have not hesitated to advise, at Madrid, an attempt to bring about some such modifications; or at least the declaration of a disposition to consider of them when the time should be more propitious for a change.

There is no conclusive reason to apprehend, that, if the influence of British counsel had been left to its own operation (considering the weight of the authority under which it was offered) it would have been offered in vain. Even after the communication to the Spanish government of the despatches of the continental powers, the Spanish minister expressed distinctly and formally the wish of his government, for the good offices of Great Britain with France; and we were not without hope of a favourable answer to the suggestions proposed through lord Fitzroy Somerset, when we received the speech of the king of France.

The principle put forward in that speech, as the basis of the French demands upon Spain, is liable to a double construction. If, as we are desirous of believing, the sentiment intended to be conveyed is no other, than that, in order to give stability to any modification of the present system in Spain, and to afford sufficient assurance to France to justify her in discontinuing her warlike preparations, the king of Spain must be party and freely consenting to any such modifications; and if your excellency shall obtain from the French minister an avowal that such is the intention of the speech; the British government will be most happy to continue at Madrid their amicable and earnest endeavours, to ascertain the means, and to recommend the policy of accommodation.

But it would not be right to conceal from the French minister, that a different construction is generally put upon the paragraph to which I refer. It is construed as implying, that the free institutions of the Spanish people can only be legitimately held from the spontaneous gift of the sovereign, first restored to his absolute power, and then divesting himself of such portion of that power as he may think proper to part with.

The Spanish nation could not be expected to subscribe to this principle; nor could any British statesman uphold or defend it.

We can conscientiously recommend to Spain to modify her constitution of 1812. The law of nations warrants the suggestion from one friendly power to another, of counsels for the melioration of internal institutions, provided that suggestion be made in good faith, and not in a spirit of dictation; and provided it be not attempted to be supported by force. But the British government could not advise any people, in adopting changes however beneficial, to admit the principle on which (according to this latter construction) the speech of the king of France would be understood to prescribe them. It is indeed a principle which strikes at the root of the British constitution.

The British government does not presume to hold out its own political institutions, as the only practical system of national happiness and freedom. It does not presume to question the freedom and happiness which France enjoys under institutions emanating from the will of the sovereign, and described as *octroyées* from the throne. But it could not countenance a pretension on the part of France to make her example a rule for other nations; and still less could it admit a peculiar right in France, to force that example specifically upon Spain, in virtue of the consanguinity of the reigning dynasties of those two kingdoms. This latter reason would, on the contrary, suggest recollections and considerations, which must obviously make it impossible for Great Britain to be the advocate of pretensions founded upon it. I am, &c. &c.

(Signed) George Canning.

Memorandum.—A copy of this despatch was transmitted to sir William A'Court on the 4th of February.

No. 26.—Sir William A'Court to Mr. Secretary Canning.—Received Feb. 6th.

(Extract.) *Madrid, January* 21, 1823.

Lord Fitzroy Somerset arrived last night. It has given me the greatest pleasure that a person so much versed in affairs, and so intimately acquainted with every thing and every body in this country, should see with his own eyes and report directly to his majesty's government, the real state of things here. His arrival has been a very great relief to me.

No. 27.—Mr. Secretary Canning to Sir William A'Court.

(Extract.) *Foreign Office, Feb.* 9, 1823.

You will have learnt, by the ordinary modes of intelligence, the opening of parliament, and the reception, in both Houses, of that part of the king's speech which relates to the present position of France and Spain.

What impression may be made on the French government by this unequivocal disclosure of public opinion in England, I cannot pretend to foresee; but it can hardly be other than such, as,—if it were met at the same time with any reasonable facility on the part of Spain, which would afford to France a retreat without dishonour—might lead to a reconsideration of their plans, and yet arrest the fatal blow which is to commence hostilities.

I trust, however, that the report which the Spanish government may receive of these proceedings, will not lead them into a false security, by inducing them to place their hopes of extrication from their difficulties in a war between this country and France.

Neither the determination nor the means will be wanting, to vindicate, in any case, that might arise, either our honour, or our interests. But this consideration does not affect the immediately impending conflict between France and Spain. It is to the prevention of the commencement of the war, that the anxiety of the British government is, at this moment, exclusively directed; and that it is desirous of directing the deliberations of the Spanish government; and the way to defer the present execution of the project of invasion of Spain is, that Spain should furnish us with some proposition, such as we could submit to the French government, with an earnest appeal to its policy, as well as to its justice.

No. 28.—Lord Fitzroy Somerset to Mr. Secretary Canning.—Received February 10th.

(Extract.) *Madrid* 3, *January* 25, 1823.

With the approbation of sir William A'Court I communicated to ———— on the 22nd instant, the nature of the commission with which I was entrusted; expressing to him my hope that in a matter so materially affecting the welfare of his country, I should have the benefit of his assistance and co-operation.

I informed him that his majesty's government continued to adhere to the determination on which they had hitherto acted, of not interfering in the internal concerns of Spain; but that, deeply alive to the difficulties of her present situation, and most anxious to prevent her rupture with France, they had thought proper to try the effect of a confidential communication, which should make known to the leading characters in this country the sentiments of the duke of Wellington, who, as the friend and well-wisher of Spain, had consented to state his opinions, on the necessity of some alteration in the existing constitution.

I, at the same time, begged him to bear in mind, and to impress on those with whom I trusted he would communicate, that England demanded nothing of Spain; that she suggested nothing officially, and that her sole object in touching in any way upon so important a question, was the hope that it might lead to the adoption of a system, which should put an end to civil dissensions, and lessen the probability of a war with France.

I afterwards read to him the duke of Wellington's memorandum.

———— was evidently a good deal startled at my communication, for which he professed himself to be quite unprepared; and he at once declared his conviction, that he could not be instrumental in the attainment of the objects to which I had called his attention.

He gave the British government full credit for the conduct they had pursued during the congress at Verona. He was deeply sensible of the value of the duke of Wellington's exertions on that occasion, and of his constant solicitude to promote the happiness and secure the independence of Spain; but, in the present situation of the country, he could not disguise from me the difficulty of prevailing upon any party to act upon the suggestions which were thrown out for their consideration in the duke's memorandum.

He acknowledged the defects of the constitution, and admitted the propriety of taking into consideration the expediency of modifying it hereafter, when such a proceeding should not be illegal.—He felt equally with myself the imminence of the danger to which the country was exposed, and that war was the inevitable consequence of a refusal to modify the constitution. Such a measure being, however, out of the question, the government had, in his opinion, nothing to do, but to await the evil which they could not avert.

Seeing that my reasoning made no impression upon ———— and that his reluctance to become a party in proposing any alteration in the present order of things was not to be overcome, I refrained from pressing him further on the subject; having first, however, prevailed upon him, as an act of kindness to me, and of duty to his country, to mention to some of the gentlemen of the Cortes, in whom he could confide, the nature of the commission with which I was charged; and the reasons which induced the duke of Wellington to think, that the time was arrived when Spain should make an effort to effect such an alteration in her present system of government, as might tend to put an end to the disturbances of which she is the theatre, and to satisfy her sovereign and his allies.

I have found several of my old acquaintances who are neither in the Cortes, nor in any situation of responsibility very ready to enter into conversation with me on the difficulties by which Spain is now surrounded, and on the necessity of some modification of the constitution. Some, indeed, are clamorous for such an amendment, and for the interference of Great Britain; but when asked how the first can be effected, or the latter made available to the exigencies of the moment, they are unable to furnish any satisfactory reply.

No. 29.—Sir Charles Stuart to Mr. Secretary Canning.—Received February 13.

(Extract.) *Paris, February* 10, 1823.

After receiving your despatch of the 3rd instant, I called upon M. de Chateaubriand, and held a long conversation with that minister upon the subject to which it refers. Without under-rating the effect of his majesty's good offices to preserve peace, I found M. de Chateaubriand still extremely prepossessed with the notion, that the tone assumed in the speech of the king of France, is well calculated to induce the Spaniards to give way; and resolved, in spite of all I could say, to ground hopes of preventing war upon the result of that speech.

When I questioned his excellency respecting the interpretation of which his most Christian majesty's speech to the chambers is susceptible, he admitted that your account of the different constructions which are put upon that discourse, clearly exposes the doubts which have prevailed in the public mind upon that important question. He said, that whatever may be the interpretation which is attached to his majesty's expressions, by those who are determined to consider all the measures recommended by this court, to be proofs of their desire to re-establish an absolute government in Spain—his excellency never can believe that the communications which have taken place with the British cabinet, have been misunderstood to a degree which can authorize such suppositions. He does not hesitate to admit that, "in order to give stability to any modification of the present system in Spain, and to afford sufficient assurance to France to justify her discontinuing her warlike preparations, the king of Spain must be a party, and consent to such modification." Upon this principle, a change which shall result from a thorough understanding between his Catholic majesty and the Cortes, will be considered to afford some prospect of the modifications which are indispensable to the security of neighbouring states. The French government will not only be satisfied with the opening which any act (such as the establishment of a second chamber) may offer, to complete, through the intervention of Great Britain, the system which is necessary for the constitutional government of Spain; but, without waiting for any further proofs of the sincerity of the Spanish government, they will consider any such act as affording reasonable grounds for suspending their armaments, and replacing the relations between the two countries upon the footing usual in time of peace; —though, since he cannot suppose that we consider mere fair assurances to be sufficient, we must not be surprised if preparations for war are, in the mean time, carried on without intermission.

M. de Chateaubriand did not enter into any detail respecting the nature of the acts to which he alluded; but I understood him to refer to the project of allowing the king the nomination of councillors of state, and giving them a deliberative power, upon a similar principle with that of the American senate; to which might be added, a regulation fixing the amount of the qualification required, to render a candidate eligible to the second, or representative chamber.

With a view to avoid the possibility of any misrepresentation, I have read to M. de Chateaubriand that part of this despatch, which states the expectations entertained by the French government, and have ascertained that his ideas are correctly reported. The communication of the same extract to[*] ——— enables me to say, that it contains notions which, in the opinion of that gentleman, will be considered admissible in Spain; and which may afford sufficient grounds for further communications on the part of sir William A'Court to the Spanish government.

No. 30.—Sir William A'Court to Mr. Secretary Canning.—Received February 13.

Madrid, 27th January, 1823.

Sir;—the French minister received two despatches from M. de Chateaubriand by the last courier; the one to be communicated to M. de San Miguel at the same time that he demanded his passports; the other to be read to him, as well as to the king, previous to his departure.

The first, which has already been communicated, contains little more than expressions of regret, that the answer of the Spanish government should have been so very unsatisfactory, leaving no other alternative to the French government than of recalling its legation.

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[*] A Spanish gentleman at Paris.

The second goes more into detail. It states that, after the fruitless efforts made by the representatives of the continental powers, as well as by sir William A'Court and lord Fitzroy Somerset (the last of whom, it must be observed, had not left Paris seven days, and was not even arrived at Madrid when the French despatch was written) to engage the Spanish government to listen to the suggestions of reason, and to adopt a line of greater moderation, no other course remains to the government of his most Christian majesty than that of recalling its minister from Madrid:—that this is the only step left for the maintenance of peace:—that the duke of Angoulême is upon the point of placing himself at the head of 100,000 men upon the frontier:—and that if the king of Spain, released from his present thraldom, and placed at the head of his army, shall be allowed to advance to the banks of the Bidassoa, in order to treat with him, a firm and durable peace may be established between the two countries — the antient intimate connexion between France and Spain restored; and the fleets, armies and resources of France be placed from that moment entirely at the disposal of his Catholic majesty:—That France does not pretend to dictate to Spain the precise modifications she ought to adopt in her constitution; but in order not to expose herself to the charge of having intentionally left her wishes unexplained, she declares that she will not renew her relations of amity with this country, until a system be established, with the consent of, and in concert with, the king, assuring alike the liberties of the nation and the just privileges of the monarch; and until a general act of amnesty be passed in favour of every individual persecuted for political offences from the promulgation of the constitution in 1812, down to the present period.

I write this from recollection; but I am perfectly certain that, though I may not have given in every instance the precise words used, I have in no way varied from the meaning. This paper has already been read by general Lagarde to the king; and he will probably communicate its contents to M. San Miguel in the course of the morning. I have the honour to be, &c.

(Signed) WILLIAM A'COURT.

No. 31.—Sir William A'Court to Mr. Secretary Canning.—Received February 17.

(Extract.) *Madrid, February* 4, 1823.

Mr. Jackson arrived this morning, bringing me several despatches from sir Charles Stuart, and amongst others, a copy of his despatch to you, sir, of the 28th ultimo, detailing his conversation with M. de Chateaubriand, after the communication of M. de San Miguel's note to me of the 12th January.

I immediately proceeded to make known the contents of this despatch to M. de San Miguel; being extremely anxious to prevent the adoption of any violent measures, in consequence of the arrival of the king of France's speech to the chambers, which reached Madrid last night.

After I had read the whole to M. de San Miguel (and some parts of it, by his own desire, a second time), he broke out into exclamations against the general conduct of the French government; expressing his conviction that a war was inevitable:—He said, that Spain would never admit that the constitution emanated from the king nor recognize any other sovereignty than that of the people:—that a manifesto was preparing, in which his majesty would speak his sentiments to Europe, and that these sentiments would be found in unison with the answer which he had lately delivered to the Cortes:—that Spain was prepared to repel force by force; and that France would find, that the war would be a much more serious undertaking than she seemed at present to imagine it would be.

He requested me to leave him for an hour the copy of sir Charles Stuart's despatch. I did not hesitate in complying with this request, upon the condition that it was to be considered as a strictly confidential communication.

No. 32.—Sir William A'Court to Mr. Secretary Canning.—Received February 22.

(Extract.) *Madrid, February* 7, 1823.

Sir Charles Stuart has forwarded to me your despatch to him, inclosing M. de San Miguel's note, and a copy of his despatch to you of the 30th ultimo.

I must await your further instructions, after the receipt of sir Charles Stuart's despatch, announcing the manner in which this overture has been received by France, before I can venture to advance any further. By sir Charles Stuart's account, it appears that France has neither quite accepted, nor quite declined, our interference; and M. de Chateaubriand's statement of the conditions necessary to the establishment of amicable relations between the two countries, is so extremely vague, that I should really be at a loss to inform this government, if called upon to do so, what are the precise concessions which would ensure the maintenance of peace.

I shall, however, not lose sight of the amnesty, but press it by every argument in my power. I have some reason to believe that such a measure will not be opposed by any party. One object is already gained, viz. that of the shutting up of the Landaburian society. If this be followed up by a general amnesty, I shall not yet despair of arriving at that first of objects, the prevention of a continental war.

I had written thus far when I was interrupted by the arrival of M. San Miguel.

M. San Miguel observed, that with respect to modifications, there was neither a man nor a party in Spain (were the ministry to be changed a hundred times) who would venture to propose their adoption, till the time pointed out by the constitution; and that, had any hopes been held out to me of an opposite nature, I might depend upon it they never would be realized. M. San Miguel's conversation was nevertheless less war-like than I found it a day or two ago. He would not, he said, consider all hope of negotiation at an end, but still rely for a successful issue from the present difficulties, upon the friendship and good offices of England. He was convinced that she might, and that she would prevent a war.

I told him that England had done, and would continue to do, every thing in her power to prevent matters from coming to such extremities; but my own opinion was, that war was inevitable, if Spain were really determined to admit no modification in her present constitutional system. This would not prevent our endeavouring to avert such a misfortune by every means within our reach, short of involving ourselves in the quarrel; but that I could not flatter him with any hope that our efforts would be successful, unless we were enabled to hold out to France, the prospect of some concession on the part of this country.

A long and desultory conversation followed, which it will be unnecessary to repeat; in the course of which, M. San Miguel put very prominently forward, the evident acknowledgement of the intention to establish a permanent French interest in Spain, contained in certain passages of the king of France's speech to the chambers.

No. 33.—Sir Charles Stuart to Mr. Secretary Canning.—Received February 23.

(Extract.) *Paris, February* 21, 1823.

M. de Chateaubriand said, that he had turned over the subject in his own mind, with a view to decide upon what terms it might be possible to meet the proposals they might receive — and though he could not state the result of his reflections to be the expression of the sentiments of the French government,—yet he thought the subject might be taken into consideration, if the Spanish negotiators should engage at a future period, to modify their constitution; and, in the mean while, prove their good faith, by restoring the king to his physical liberty, and allowing him to frequent the *sitios*, and to go to watering places; by a general amnesty; by the establishment of laws to regulate the press—and by a change of ministry; but that the military preparations of the French government must continue without intermission; and that their armies will be ready to take the field, if a change in the aspect of affairs does not contribute to remove the pressure and irritation which prevails on both sides, before the season for active operations shall arrive.

No. 34.—Sir William A'Court to Mr. Secretary Canning.—Received March 3.

(Extract.) *Madrid, February* 16, 1823.

The debate upon the subject of the removal of the seat of government, passed off without any thing being elicited from either party, which could give an opening for the discussion of the possibility of an arrangement through the good offices of England. The extraordinary Cortes will close on the 19th instant, and the ordinary Cortes will assemble on the first day of March. The question of an amnesty for all those who shall lay down their arms before the entry of a foreign force, was subsequently brought forward, and referred to a committee. An extension of this limited amnesty, I am assured, will be proposed by the committee, and it will be recommended that it should be made general. If this be done, and the proposal be adopted, it will be a very great point gained. There is, however, but little hope that any of those further concessions will be made, which would ensure an amicable arrangement of the differences that exist between this country and France. Besides which, the putting forward by France of so extravagant a proposition, as that the king, restored to his full and absolute power, shall himself grant a charter to the nation, has singularly increased the difficulties of the question. The principle upon which this proposition is founded, is one to which it is evident the British government can never agree; and consequently if such be the *sina quâ non* of France, our intervention falls to the ground.

No. 35.—Sir William A'Court to Mr. Secretary Canning.—Received March 3rd.

(Extract.) *Madrid, Feb.* 18, 1823.

My hopes have been grievously disappointed with respect to the amnesty; which, I was confidently assured, would embrace every political offender. But neither by the committee, nor in the Cortes, has the slightest allusion been made to so general a measure, notwithstanding the hopes that were held out. The amnesty voted, is nothing more than an act of pardon for any "factious," who may lay down their arms before the 1st of April; without any retrospective operation in favour of those already in prison, or any allusion to those confined merely for political opinions. It is a mere act of policy, and by no means an act of grace; nor can it be expected to produce that favourable effect in France, which might have been insured by a more general measure.—A report was circulated a few days since, that the king, with the concurrence of the council of state, had determined upon a change of ministers:—from the variety of quarters from whence this report reached me, I was inclined to believe that it was not without some foundation, and that his majesty's intention was to have requested the council of state to choose a new ministry for him, selected from their own body. Alarmed by the reports in circulation, the ministers obtained from the Cortes this morning, the repeal of the decree authorizing the employment of councillors of state, with the exception of those already employed.—The repeal of this decree, though it may not prevent a change of ministers, effectually puts an end to the administration which it was proposed to form.

No. 36.—Sir William A'Court to Mr. Secretary Canning.—Received March 3.

(Extract.) *Madrid, Feb.* 19, 1823.

Sir Charles Stuart's secretary arrived last night, bringing me your despatch of the 9th instant. He also brought me an extract of sir Charles Stuart's despatch to you of the 10th instant, by which I learn, for the first time, the exact concessions which will satisfy France and engage her to put an end to her armaments. What use I shall be able to make of these communications, I cannot yet foresee. The Cortes were closed this morning in the usual form, after which the ministers tendered their resignations.

P. S. The resignations are all accepted, except that of the minister of finance. The heads of the several departments are to act as ministers till a new administration be formed.

No. 37.—Sir William A'Court to Mr. Secretary Canning.—Received March 3.

(Extract.) *Madrid, Feb.* 20, 1823.

His Catholic majesty has been pleased to re-appoint the same ministers *ad interim*. I shall endeavour to see M. de San Miguel tomorrow, in order to communicate to him your despatch of the 9th instant; and the propositions contained in sir Charles Stuart's letter of the 10th of February; but I am perfectly persuaded that all my efforts will be vain.

No. 38.—Sir Charles Stuart to Mr. Secretary Canning.—Received March 9.

(Extract.) *Paris, March* 6, 1823.

I cannot help thinking that there is in the language of the ministers a more pacific colour, than I had observed within the last three weeks; for both to myself, and to all those with whom they converse, Monsieur de Villèle and Monsieur de Chateaubriand express their hopes of averting a war, with a degree of confidence which induced me to observe to the latter minister, that the insisting upon a direct negotiation between the duke d'Angoulême and a Spanish prince, may be a great obstacle to success. His excellency answered, that although this mode of settling the question had been strongly urged, he could assure me the objects of the negotiation are too important, not to be sought for by the concession, if necessary, of this, or of any other mere point of form; and that if the Spanish government will empower any negotiator to treat, after a change of ministers at Madrid, he shall be able to look forward with confidence to the continuation of peace. I cannot, however, participate in the hopes, which the French cabinet found upon the intelligence they expect to receive from Madrid: I consider late events to be the prelude to war.

No. 39.—Sir William A'Court to Mr. Secretary Canning.—Received March 13.

(Extract.) *Madrid, Feb.* 23, 1823.

M. San Miguel called on me this morning, for the purpose of exchanging the ratifications of the articles respecting the slave trade. Having gone through that ceremony, I informed him that I had communications of some importance to make to him, which the troubled state of the capital for several days past, and my own continued indisposition, had prevented me from submitting to his consideration at an earlier period.

Having thus drawn his attention to what I was about to say, I produced your despatch of the 9th February, and an extract from sir Charles Stuart's despatch to you, of the 10th February; and proceeded to read to him those parts of each, which I thought the most calculated to produce a favourable effect, accompanying my reading with such remarks as the nature of the communication required.

M. de San Miguel listened with the greatest attention; but as soon as I had concluded, observed, that the British government was labouring under a delusion, in supposing any sort of modification possible. It would be a much easier thing to overturn the whole constitutional system, and to re-establish absolute despotism, than to concede even the most insignificant of the points which had been pointed out as the most likely to conciliate.

He was fully aware that England asked no modifications on her own account. He knew that we wished to preserve to Spain her constitutional system; that our only object in trying to engage her to yield upon certain points, was the conviction that if a war did break out, we must be, sooner or later, involved in it ourselves. He knew very well that we should not declare in favour of Spain at first; but nobody could be so blind as not to see, that, if the war was protracted, and other powers took part in it, England alone could not remain a passive spectator of what might be its results.

No. 40.—Sir William A'Court to Mr. Secretary Canning.—Received March 16.

(Extract.) *Madrid, March* 5, 1823.

A Spanish gentleman at Paris has written from Paris to ——— ———, that the French government has declared that it will suspend hostilities if a general amnesty be granted, a verbal promise of modifications hereafter be given, a change of ministers take place, and the king be permitted to go to the waters of Sacedon. That the negotiation must be carried on at Paris through the mediation of the British ambassador; ——— ——— quotes sir Charles Stuart as his authority, and refers his friends to me for further information. Now I have heard nothing from sir Charles Stuart since the 20th ult. when he still referred me to his despatch to you of the 10th of February, as containing the final determination of the French government. That determination is very widely different from the arrangement alluded to by ———

No. 41.—Sir William A'Court to Mr. Secretary Canning.—Received March 18th at night.

(Extract.) *Madrid, March* 9, 1823.

I saw M. de San Miguel this morning, and to my great astonishment, he asked me what were the precise conditions required by France, in case any questions should be asked him in Cortes. I repeated to him the conditions stated in sir Charles Stuart's despatch of the 10th February, and those (hardly to be considered official) contained in the same ambassador's despatch of the 21st February;* and, according to his request I sent him, upon my return home, an extract from the despatch of the 10th February. What is in agitation I know not.—He told me he should say nothing upon the subject, unless called upon by the Cortes; and that if any negotiations were entered into, he would not be the person to negotiate. I should only mislead you if I were to attempt to give any explanation of this singular conversation.

No. 42.—Sir William A'Court to Mr. Secretary Canning.—Received March 25.

(Extract.) *Madrid, March* 11, 1823.

In a few hurried lines, written as the last courier was setting off, I communicated to you a singular conversation which had passed between M. de San Miguel and myself. I forbore to express any opinion upon this conversation; but whatever hopes some of his expressions were calculated to excite, are now entirely at an end.

No. 43.—Mr. Secretary Canning to Sir Charles Stuart.

Foreign Office, March 31, 1823.

Sir;—The hopes of an accommodation between France and Spain, which his majesty has so long been encouraged to cherish, in despite of all unfavourable appearances, being now unhappily extinguished, I am commanded by his majesty to address to your excellency, for the purpose of being communicated to the French minister, the following explanation of the sentiments of your government upon the present posture of affairs between those two kingdoms.

The king has exhausted his endeavours to preserve the peace of Europe.

The question of an interference in the internal concerns of Spain, on account of the troubles and distractions which have for some time prevailed in that kingdom, was not one on which his majesty could, for himself, entertain a moment's hesitation. If his majesty's plenipotentiary at Verona did not decline taking part in the deliberations of the allied cabinets upon that question, it was because his majesty owed to his allies, upon that, as upon every other subject, a sincere declaration of his opinions; and because he hoped that a friendly and unreserved communication might tend to the preservation of general peace.

The nature of the apprehensions which had induced the king of France to assemble an army, within his own frontier, upon the borders of Spain, had been indicated, in the first instance, by the designation of the "Cordon Sanitaire." The change of that designation to that of an "Army of Observation" (which took place in the month of September last) did not appear to his majesty to imply more, than that the defensive system originally opposed to the contagion of physical disease, would be continued against the possible inconveniences, moral or political, which might arise to France, from a civil contest raging in a country separated from the French territory only by a conventional line of demarcation. The dangers naturally incident to an unrestrained intercourse between two countries so situated towards each other; the dangers of political intrigue, or of occasional violation of territory, might sufficiently justify preparations of military defence.

Such was the state of things between France and Spain at the opening of the congress at Verona. The propositions brought forward by the French plenipotentiary in the conferences of the allied cabinets, were founded on this state of things. Those propositions did not relate to any project of carrying attack into the heart of the Spanish monarchy, but were in the nature of inquiries: 1st, What countenance France might expect to receive from the allies, if she should find herself under the necessity of breaking off diplomatic intercourse with the court of Madrid? and, 2ndly, what assistance, in supposed cases of outrage to be committed, or of violence to be menaced, by Spain? These cases were all contingent and precautionary. The answers of the three continental powers were of a correspondent character.

The result of the discussions at Verona, was a determination of his majesty's allies, the emperors of Austria and Russia and the king of Prussia:—1st. To make known to the cabinet of Madrid, through their respective ministers at that court, their sentiments upon the necessity of a change in the present system of the Spanish government; and, in the event of an unsatisfactory answer to that communication, to recall their respective ministers; and to break off all diplomatic intercourse with Spain. 2ndly, To make common cause with France against Spain, in certain specified cases; cases, as has been already observed, altogether contingent and precautionary.

His majesty's plenipotentiary declined concurring in these measures; not only because he was unauthorized to pledge the faith of his government to any hypothetical engagement, but because, his government had, from the month of April 1820, uniformly recommended to the powers of the alliance, to abstain from all interference in the internal affairs of Spain; and because, having been from the same period, entirely unacquainted with whatever transactions might have taken place between France and Spain, his government could not judge, on what grounds the cabinet of the Tuilleries meditated a possible discontinuance of diplomatic relations with the court of Madrid; or on what grounds they apprehended an occurrence, apparently so improbable, as a commencement of hostilities against France by Spain.

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* See No. 33, a copy of which was received by sir William A'Court, subsequently to his letter of the 5th March.

No proof was produced to his majesty's plenipotentiary of the existence of any design on the part of the Spanish government, to invade the territory of France; of any attempt to introduce disaffection among her soldiery; or of any project to undermine her political institutions: and so long as the struggles and disturbances of Spain should be confined within the circle of her own territory, they could not be admitted by the British government to afford any plea for foreign interference. If the end of the last and the beginning of the present century saw all Europe confined against France, it was not on account of the internal changes which France thought necessary for her own political and civil reformation; but because she attempted to propagate, first her principles, and afterwards her dominion, by the sword.

Impossible as it was for his majesty to be party to the measures concerted at Verona with respect to Spain, his majesty's plenipotentiary declared, that the British government could only endeavour through his majesty's minister at the court of the Catholic king, "to allay the ferment which those measures might occasion at Madrid, and to do all the good in his power."

Up to this period no communication had taken place between his majesty and the court of Madrid, as to the discussions at Verona. But about the time of the arrival of his majesty's plenipotentiary, on his return from Verona, at Paris, Spain expressed a desire for the "friendly interposition" of his majesty, to avert the calamities of war. Spain distinctly limited this desire to the employment of such "good offices," on the part of Great Britain, as would not be inconsistent with "the most strictly-conceived system of neutrality." Nor has any period occurred, throughout the whole of the intercourse of the British government with Spain, at which the Spanish government has been for one moment led, by that of Great Britain, to believe that the policy of his majesty, in a contest between France and Spain, would be other than neutral.

In pursuance of this request, and of his previous declaration at Verona, his majesty's plenipotentiary received instructions at Paris, to make to the French government the offer of his majesty's mediation. In making this offer, the British government deprecated, from motives of expediency as well as from considerations of justice the employment towards Spain of a language of reproach or of intimidation. They represented as matter of no light moment, the first breach, by whatever power, of that general pacific settlement which had been so recently established, and at the cost of so many sufferings and sacrifices to all nations. Nor did they disguise from the French government, the anxiety with which they looked forward to all the possible issues of a new war in Europe, if once begun.

In addition to suggestions such as these, the British government endeavoured to learn from the cabinet of the Tuilleries, the nature and amount of the specific grievances, of which his most Christian majesty complained against Spain; and of such specific measures of redress or conciliation on the part of Spain, as would arrest the progress of his most Christian majesty's warlike preparations.

The French government declined the formal mediation of his majesty; alleging, in substance, that the necessity of its warlike preparations was founded, not so much upon any direct cause of complaint against Spain, which might be susceptible of accurate specification and of practical adjustment, as upon the general position in which the two kingdoms found themselves placed towards each other; upon the effect which all that was passing and had been for some time passing in Spain, produced upon the peace and tranquillity of his most Christian majesty's dominions; upon the burthensomeness of that defensive armament which France had thought herself obliged to establish on her frontier towards Spain, and which it was alike inconvenient to her to maintain, or, without some change of circumstances which would justify such change of counsel, to withdraw; upon a state of things, in short, which it was easier to understand than to define; but which, taken altogether, was so intolerable to France, that open hostility would be far preferable to it. War would at least have a tendency to some conclusion; whereas the existing state of the relations between France and Spain might continue for an indefinite time; increasing every day the difficulties of Spain, and propagating disquietude and alarm throughout the French army and nation.

But although his most Christian majesty's government declined, on these grounds, a formal mediation, they professed an earnest desire for peace, and accepted his majesty's "good offices" with Spain for that object.

Contemplating all the mischiefs which war might inflict upon France, and through France ultimately perhaps upon all Europe; and which it must inflict, more immediately and inevitably, upon Spain, whose internal animosities and agitations a foreign war could not but exasperate and prolong—the British government was deeply impressed with the necessity of peace for both kingdoms; and resolved, therefore, whether invested or not with the formal character of mediator, to make every effort, and to avail itself of every chance, for the prevention of hostilities. The question was now become a question simply and entirely between Spain and France; and the practical point of inquiry was not so much how the relations of those two governments had been brought into their present awkward complication; as how that complication could be solved, without recourse to arms, and an amicable adjustment produced, through mutual explanation and concession.

Nothing could have induced his majesty to suggest to the Spanish nation a revision of its political institutions, as the price of his majesty's friendship. But Spaniards, of all parties and descriptions, admitted some modifications of the constitution of 1812, to be indispensably necessary: and if in such a crisis as that in which Spain now found herself—distracted at once by the miseries of civil war, and by the apprehension of foreign invasion—the adoption of modifications, so admitted to be desirable in themselves, might afford a prospect of composing her internal dissensions, and might at the same time furnish to the French government a motive for withdrawing from the menacing position which it had assumed towards Spain, the British government felt that no scruple of delicacy, or fear of misconstruction, ought to restrain them from avowing an earnest wish, that the Spaniards could prevail upon themselves to consider of such modifications, or, at least, to declare their disposition to consider of them hereafter.

It is useless now to discuss what might have been the result of his majesty's anxious endeavours to bring about an accommodation between France and Spain, if nothing had occurred to interrupt their progress. Whatever might be the indisposition of the Spanish government to take the first step towards such an accommodation, it cannot be disguised that the principles avowed and the pretensions put forward by the French government, in the speech from the throne at the opening of the chambers at Paris, created new obstacles to the success of friendly intervention. The communication of that speech to the British government was accompanied, indeed, with renewed assurances of the pacific disposition of France; and the French ministers adopted a construction of the passage most likely to create an unfavourable impression in Spain, which stripped it of a part of its objectionable character. But all the attempts of the British government to give effect at Madrid to such assurances and explanations, proved unavailing. The hopes of success became gradually fainter: and have now vanished altogether.

It remains only to describe the conduct which it is his majesty's desire and intention to observe, in a conflict between two nations, to each of whom his majesty is bound by the ties of amity and alliance.

The repeated disavowal, by his most Christian majesty's government, of all views of ambition and aggrandizement, forbids the suspicion of any design on the part of France, to establish a permanent military occupation of Spain; or to force his Catholic majesty into any measures, derogatory to the independence of his crown, or to his existing relations with other powers.

The repeated assurances which his majesty has received, of the determination of France to respect the dominions of his most faithful majesty, relieve his majesty from any apprehension of being called upon to fulfil the obligations of that intimate defensive connexion, which has so long subsisted between the crowns of Great Britain and Portugal.

With respect to the provinces in America, which have thrown off their allegiance to the crown of Spain, time and the course of events appear to have substantially decided their separation from the mother country; although the formal recognition of those provinces, as independent states, by his majesty, may be hastened or retarded by various external circumstances, as well as by the more or less satisfactory progress, in each state, towards a regular and settled form of government. Spain has long been apprised of his majesty's opinions upon this subject. Disclaiming in the most solemn manner any intention of appropriating to himself the smallest portion of the late Spanish possessions in America. His majesty is satisfied that no attempt will be made by France, to bring under her dominion any of those possessions, either by conquest or by cession, from Spain.

This frank explanation upon the points on which perhaps alone the possibility of any collision of France with Great Britain can be apprehended in a war between France and Spain, your excellency will represent to M. de Chateaubriand, as dictated by an earnest desire to be enabled to preserve, in that war, a strict and undeviating neutrality; a neutrality not liable to alteration towards either party, so long as the honour and just interests of Great Britain are equally respected by both.

I am commanded, in conclusion, to direct your excellency to declare to the French minister, that his majesty will be at all times ready to renew the interposition of his good offices, for the purpose of terminating those hostilities, which his majesty has so anxiously, although ineffectually, endeavoured to avert. I am, &c.

(Signed) GEORGE CANNING.

HOUSE OF COMMONS.

Tuesday, April 15.

EX-OFFICIO INFORMATIONS IN IRELAND.] Mr. *Brownlow* rose, to bring forward his motion respecting certain law proceedings, if indeed they deserved that name, which had lately been instituted in Ireland, against certain individuals, for transactions which had taken place in the theatre of Dublin on the 14th of last December, and in which the prudence, temper, and discretion of his majesty's attorney-general for Ireland appeared to him to be seriously involved. Whatever difference of opinion might exist as to the propriety of the motion, with which he intended to conclude, sure he was, that all would agree, that the motion itself was worthy of the most serious consideration; for it was one which did not concern the inhabitants of Ireland alone, but which came home to the business and bosom of every man who lived under the protection of British law. It was one which did not relate to any trifling or paltry grievance, but which alleged, that there had been an unwise departure from the ordinary course of law, and an indiscreet exercise of the royal prerogative. Honourable gentlemen might, perhaps, think that an individual like himself, who was unacquainted with the antient laws and statutes of the land, was presumptuous in originating a measure of this important nature. He trusted, however, that to his statements, feeble and unsatisfactory as they might appear—not from the weakness of the cause, for that was invincible, but from the inability of the advocate—many hon. members would come forward to add that information of which he was so deficient; and that, along with their knowledge of the constitution, they would be anxious to show the love of freedom and the detestation of tyranny, which that knowledge could not fail to generate in every manly heart. But, though the question was undoubtedly one of law, it was also one of great constitutional interest. As his motion alleged, that a violent act of arbitrary power had been committed by a great legal functionary, he felt that he owed no apology to the House for bringing it forward. He trusted, that the course he had taken was consistent, not only with parliamentary usage, but also with parliamentary duty; for he called upon the House to look with a scrutinizing eye upon the administration of justice in the superior courts of law; not in a case where the suit was between one private individual and another, but in a case where the king, armed with all his powers of reward and punishment, was on the one side, and humble and imprisoned subjects were on the other. There were some members, however, who, instead of thinking him too bold in bringing forward this motion, were of opinion, that, attaching the importance that he did to it, he had allowed it to slumber much too long. To those gentlemen he would offer every apology in his power. For he was well aware, that if such proceedings as those of which he complained had taken place in England, where men knew their rights, and knowing, dared maintain them, not one day—nay, perhaps not one hour—would have been allowed to elapse after the meeting of parliament, without their having been submitted to discussion; and the address which was voted with such unanimity to the Crown, might have been amended with some expressions of regret, that the ordinary course of justice had been departed from; that the opinions of grand juries had been set at nought; that they had been first taken, then rejected, and afterwards vilified; and that, by such means, the subjects of the realm had been perplexed and harassed with vexatious prosecutions. Such would have been the case, in all probability, had similar proceedings taken place in England; but in Ireland it was far different. The task of calling public attention to them had devolved from one member to another, until, at last, it had lapsed to him; and the reason why he had not brought his motion forward at an earlier period was this—that when it first lapsed to him, the Irish members were leaving this country to attend their duties at the assizes in Ireland, and that the present day appeared to be the earliest, on which the subject could undergo a full and fair discussion. He understood it had been said, that he had fixed the 15th of April for his motion, because the discussion of it on that day was likely to embarrass the attorney-general for Ireland, who had fixed the 17th of April for the discussion of the Catholic claims. He could assure the House, that he had had no such intentions; nor could he see how it could cause the slightest embarrassment to the hon. and learned gentleman. It might just as well be said, that the right hon. secretary of state had fixed his exposition of our foreign relations for last night, in order to prejudice the discussion of the present evening.

Having thus endeavoured to vindicate himself from the censure of two parties, one of which thought him too bold, and the other too lukewarm, he should now proceed to discharge the duty which he had taken upon himself. It had reached his ears, that when the right hon. member for Cavan moved for certain papers, for which he too had also asked, it was imputed to that right hon. member, that he had brought forward the question from party motives and from party prejudices. He was sure that the right hon. gentleman deserved no such imputation. He was sure that he himself did not; and he therefore disclaimed it now and for ever. He would admit that if the present were a question of utter indifference, instead of one on which the most intense solicitude was felt, on account of its intimate connexion with that important bulwark of British liberty, the trial by jury, then, indeed, it would be fair to look about for the extraneous motives which could induce gentlemen to come forward upon such a question: but, as it was, he claimed the protection of the House against any imputation of motives to him, which were not clearly discernible from the motion with which he intended to conclude. The question was not a question of petty or local interest, but was simply this—Would the House of Commons allow the attorney-general for Ireland to place himself in the situation of a grand jury, and to question individuals upon matters of criminal charge against them, after a grand jury had declared that the matter against them was neither probable nor true? Nor did this question relate to Ireland merely. For, if the attorney-general for Ireland were that night sheltered from censure, it would not be long before the attorney-general for England would come down to the House, armed with his example, and eager to use it as a precedent, and would turn against the state the sword which they would put into his hands that evening, if they declared the conduct of the attorney-general for Ireland undeserving of blame. He had found a sentence in Tacitus which he conceived might be very fairly applied to such a contingency. That great historian had declared, that the Roman general Agricola had often told him, that he conceived the subjugation of Britain could not be completed without first effecting the subjection of Ireland; and that the prior subjection of that island would be advantageous to the Romans on this account, that by it "*velut è conspectu libertas tolleretur.*" He would ask the House whether, if such proceedings as those which had lately been witnessed in Ireland were thought defensible, they could say, that it might not be the intention of a future government, nay, even of the present government, to commence the enslaving of England by accustoming its inhabitants to the sight of arbitrary acts in Ireland, and to bring home to the bosom of the empire the vindictive prosecutions which it had recently instituted in its distant extremities? He would ask any of the hon. gentlemen whom he saw around him, how they would like to be attacked without the intervention of a grand jury, and would then bid them reflect how much more vexatious and ruinous such an attack would be to persons in an inferior rank in life. True it was, that they might afterwards be saved by the verdict of a petty jury; but that would prove a slight consolation to men who had been harassed in spirit and broken down in purse, by the expense to which such vindictive prosecutions necessarily subjected them.

He now came to the facts of the case. Every gentleman had heard of the dressing of the statue of William 3rd, on the 4th of November. It was a custom of long continuance. In looking over some old papers, he had found a proclamation issued a hundred years ago, offering a considerable reward for the discovery of a villain who had stolen the truncheon from the hand of the monarch, after he had been dressed. Almost the very first act of the marquis Wellesley's administration was, to forbid the dressing of this statue with the millinery, which, in the phrase of the attorney-general, had for so many years been wasted on it. He was free to confess, that he conceived the dressing of this statue to be a very mischievous act on the part of those who did it, and he wished the House to understand that he did not intend to vindicate their conduct. He declared before God, that he would equally have laid bare this arbitrary transaction, had the traversers been Roman Catholics, and the attorney-general the grand master of the Orange Lodges of Ireland. He had nothing whatever to do with any of the political or religious feelings which at present divided and distracted Ireland: indeed, he considered them, in this instance, to be a vulgar intrusion upon a question which had no sort of connexion with them. It was the proceedings to which the attorney-general had conceived it necessary to resort that had revolted him, and outraged the feelings of every lover of the constitution. He need scarcely inform the House, that after the proclamation of the lord-lieutenant, forbidding the dressing of the statue, there was a strong feeling excited among the lower orders of Ireland, of much pride on the one side, and of great disappointment and passion on the other. Whilst public feeling was in this state of excitation, the lord-lieutenant went to the theatre; and, when he was there, the event occurred out of which these proceedings originated. He regretted those events as much as any man: he regretted them, because lord Wellesley, from his anxiety to govern Ireland for its good, from his venerable name and exalted talents, had a right to expect a very different reception from his countrymen. He did not speak a limited sentiment upon this point. It was the language of Ireland generally. The utmost indignation at the outrage had been felt in all parts of the island; and it had been also felt, that there existed the strongest necessity to vindicate the national character, and to let the blame fall, where, after due inquiry, it was found it ought to rest. He would venture to say, that had the offenders been met only with common temper, common patience, and common measures — had they been committed on a probable or even on a possible charge—not a scintilla of sympathy would have been raised in their favour, from one end of Ireland to the other. But the king's attorney-general seemed to have been impelled by some evil genius to talk of assassination; and, from that moment, the most effective weapon of ridicule was employed against the whole matter; for every body saw in an instant, that the charge was utterly impossible, not only from the respective situation of the parties, but from the nature of the missile employed. This showed the intemperate lengths to which dependents of the Crown, officers removable at pleasure, might be urged, perhaps from honest motives, and under the impulse of irritated feelings.

It was very material in this stage to inquire how assassination was intended, and how it was attempted to be carried into effect. He should not have so much referred to these points, had they not led to the incarceration of men who were mingled with common felons, until the arrival of the assizes. Was a Wellesley, he would ask, of all men in the country, to be frightened out of his wits by hisses and other marks of disapprobation, in a theatre? He entreated the attention of the House to the circumstances attending this memorable transaction. The lord-lieutenant took his seat in a recess of the theatre on the left-hand side: the assassins as they had been called, occupied a bench in the upper gallery on the same side of the House, where they could not even see the lord-lieutenant. They took the very worst place they could select for their bloody purpose; and from whence it was impossible for the most dexterous hand to reach the lord-lieutenant with any missile yet invented by human ingenuity; unless, indeed, with one of those guns, he believed known only in Ireland, which possessed the peculiar talent of shooting round a corner [a laugh]. With such a weapon alone would it have been possible for these men to have dealt death and destruction to the king's lord-lieutenant of Ireland. According to the attorney-general, they meant to commit assassination: but, did ever men take such measures to accomplish such an object? They went to a place where they could not see the object of their hatred; and they went armed with a bottle and a rattle! As to the evidence to support the charge of assassination, all was conjecture; all information having been withheld. It was to be presumed, however, that it was conclusive, and irresistible; for nothing else could justify the incarceration of the accused. No bail would be accepted; the four walls of a prison were their sureties; and in that prison they were left to spend their Christmas holydays. There had been no hesitation, no pause, no suspension of opinion. The event took place on Saturday the 14th of December, and on the following Monday, marquis Wellesley returned his thanks to Mr. Millikin, the bookseller, for having succeeded in securing the miscreants who had attempted his life at the theatre, and then assured him that no dangers to which he might be exposed, that no attacks upon his life, should disturb the even tenour of his government. He (Mr. B.) of course expected to hear that night of packed juries and party prejudices; but he would assert that the whole of Ireland had been packed and prejudiced by extravagant addresses and as extravagant and ill-timed answers. The unfortunate persons accused had been prejudged by the last man who ought to have opened his lips against them—the party concerned; and they seemed to have nothing to do but to submit and to surrender up their lives at the bidding of the attorney-general.

At length, the sessions of Oyer and Terminer arrived; and then, for the first time, the attorney-general intimated his intention of not proceeding capitally against the culprits, though he took care subsequently to state, that he possessed abundant evidence to support the capital charge, but relinquished it, "because the laws were never so powerful as when administered in mercy." If, indeed, the attorney-general had evidence sufficient to support the capital charge, no state reasons, no considerations of policy could justify him in withholding it, and thus harbouring in Ireland a nest of assassins, who, though they had failed in this attempt, might succeed on another occasion. To talk of mercy in this transaction, was begging the whole question, and taking it for granted that the original committal could be justified. There was no mercy in committing men for a capital felony without evidence. It was said of mercy, that

> ————— "it is twice blessed:
> "It blesseth him that gives, and him that
> takes."

but the mercy of the attorney-general did neither: it left the accused parties all the days of their lives under the odious charge of having attempted to murder the lord-lieutenant; and it left the attorney-general under the suspicion, that he had examined into the facts, not with the intention to do justice, but intemperately to commit men upon testimony, which he was afterwards afraid to produce in a court of justice. The poet he had just quoted had observed, that "the quality of mercy is not strained," but the quality of the attorney-general's mercy must be strained indeed to afford any sort of resemblance. The whole information regarding these committals ought to be brought before the House. No man could now say who was right and who was wrong, and whether the depositions bore out the accusation. It was very easy for the attorney-general, who was in possession of the papers, to come to any conclusion he pleased; but in their absence he (Mr. B.) could not divest himself of the suspicion that all was not right, and that there was something behind that needed concealment. It might be answered, that if produced, they would afford evidence very unfairly against the committing magistrates; and certainly, nominally and formally, according to law authorities, an action on the case, as it was called, might lie against them. But this case had been taken out of the ordinary jurisdiction—it had been made a state offence—it was not investigated at the police-office, but in the Castle-yard; and the committals were made out, it was believed, not merely with the knowledge, but at the direct dictation of the attorney-general. If he was so fond of ex officio informations, and thought that law and justice could only be properly vindicated by such a power, the proper objects of them were the witnesses, who by their falsehood and villainy had imposed upon the attorney-general, by pretending that an attempt had been made upon the life of the lord-lieutenant. "When witnesses for the king endeavour to pervert justice and to destroy the king's subjects, their malice and perjury being proved, the king's attorney-general ought ex officio to prosecute them in the king's name, &c., and the legal form of the indictment ought to be, for swearing falsely and maliciously against the peace of the king, his Crown, and dignity." Such was the language of no less a man than lord Somers, in a work which he entitled "the Security of Englishmen's Lives, or "the Trust, Power, and Duty of Grand Juries of England." Two bills had been sent up by the attorney-general to the grand jury. The one for assassination was ignored; but that alleging a riot was found against the persons accused. If fault attached any where on this proceeding, it belonged to the attorney-general, who injudiciously inserted in the indictment the words—*cum multis aliis.* He had no right whatever to complain: he had informed the House and the public that, if the bills had been found against all the rioters without any finding of a conspiracy, he would not have proceeded. It was the conspiracy that he wanted, and the object was, to discredit "the gang leagued together against the king's lieutenant, in order to force him to change the measures of his government." As to the merits of this "gang," as it was called, he (Mr. B.) would offer no opinion; but he would take the liberty of observing thus much:—suppose the attorney-general were removed from his present situation by preferment—suppose him succeeded, as he was preceded, by an attorney-general of different political views; or suppose him to change his principles,—every man would, in fact, be a "gang" who did not happen to agree with the attorney-general. He would see nothing but gangs in every independent man. Members who endeavoured to restrain the public expenditure, and reformers, would all be gangs and conspirators; as their whole object was, to dictate some change in the measures of the government. Every man and every set of men would be conspirators, and deserve to be put down by an ex officio information, who should be of different opinions from the government. The attorney-general affected to be much surprised when he found that a grand jury had ventured to ignore his bill; he expressed his hope that they had done their duty," and added, that "it was a matter between God and their consciences." He had also his duty to discharge; and since the law had placed him in the stead of a grand jury—since he was unsworn and perfectly disinterested, and though only one, equal at least to 23 sworn and interested individuals, he would place the men on their trial, because he thought he had never heard clearer evidence of conspiracy and riot. He considered the grand jury very touchy and sensitive men, because they had taken umbrage at his proceedings. What did he mean by reminding the grand jury that it was "a matter between God and their consciences," if it were not to impress the public mind with the idea that they had forgotten the solemn obligation of an oath? More injurious or more arbitrary proceedings had never been adopted towards a grand jury since the Revolution. In the whole course of his reading, he had not been able to discover any precedent, save one, which he would state to the House. He did not mean to institute comparisons: they were always odious, and particularly in the present instance; because it would only be to compare a highly-gifted and he would fain say liberal man, of our own day, with the notorious sir George Jefferies, in the reign of Charles 2nd. In 1680, a bill was sent up to the grand jury against one Francis Smith, for having composed "a malicious, scandalous, and seditious libel." The grand jury returned ignoramus, and threw it out. Judge Jefferies took the course recommended by Blackstone: he sent the bill back to the jury, and they again returned ignoramus. He sent up the bill a third time, and a third time the jury were contumacious. Upon which Jefferies vilified the grand jury in open court, saying "God bless me from such jurymen; I will see the face of every one of them, and they shall repeat separately what they think of the bill." The bar was cleared so that the judge might see the grand jury distinctly, and the clerk put it to each of them whether Francis Smith was or was not guilty; and each of them answered ignoramus. Jefferies then reminded them "that they were upon their oaths," and, in much the same words as those used by the present attorney-general, informed them, that it was a matter between God and their consciences; adding, that he feared it was impossible for God, in heaven, to pardon their perjuries. What was the result? Did Jefferies file an ex officio information against Smith? No: he ordered him to be set at liberty; so that the attorney-general, in this case, had even gone beyond the patron of oppression and cruelty, who would not have hesitated a moment to file an ex officio information, if there had been the slightest colour for it. This precedent showed how strangely extremes sometimes met, and what singular coincidences, even of expression, there were in persons whose habits and feelings, it was to be hoped, were diametrically opposite. If attornies-general were authorized to file ex officio informations, whenever a grand jury threw out a bill which the law-officers of the Crown approved, it came to this—that grand juries were very respectable bodies as long as they conformed to the will of the attorney-general; but, the moment they effectually interposed their judgment between the prerogatives of the Crown and the privileges of the people—that was to say, the moment they discharged the duty for which they were originally established—they were to be declared factious, political, and prejudiced, and to be denounced as so many wild men, or rather so many wild beasts, with whom there could be neither concert nor co-operation. Far better would it have been, that these men should have escaped by the verdict of a grand jury notoriously corrupt, than that any irreverence should be shown to that tribunal, which, to use Blackstone's words, was a two-fold barrier between the prerogatives of the king and the privileges of his people. The hon. member read at length Blackstone's well known words upon this subject, observing, that the object of the learned judge was, to show, that if this two-fold barrier were overleaped, as it had been in this case, the liberties of Englishmen would be brought into jeopardy, and a precedent might be established for the utter disuse of grand juries. If any gentleman had ever felt proud at serving on the grand inquest of his country, let him feel proud no longer. If this course were pursued, his occupation was gone: he might, indeed, be entrusted with the superintendence of breaking stones and spreading gravel—he might even judge in matters of private property—but his duty, as regarded the criminal law of the land, was at an end; and it would be better at once to abolish an institution which would remain but a mockery and an insult to the people. When the opinion of a grand jury fell in with that of an attorney-general, then it was all well, and as a matter of decency the institution was preserved; but, if they ventured to stand between the Crown and its subjects, then it was to be put down and its verdict attributed to the basest motives. The hon. gentleman then proceeded to quote a further passage from the tract by lord Somers, to which he had before referred, in which, in allusion to the case of Empson and Dudley, it was said, that "he who renders grand juries useless is not less criminal than he who abolishes them altogether; and he who goes about to take them away, or to give them up, is like to meet the fate of Ismael, to have every man's hand against him, for assuredly his hand is against every man." The great charter declared, Nullus liber homo capiatur vel imprisonetur, aut aliquo modo destruatur, nisi per legale judicium parium suorum vel per legem terræ; and there were no less than eight statutes in the reign of Edward 3rd, to the same effect. What had brought the star chamber into disrepute, and finally occasioned its abolition, but because it occasioned the disuse of grand juries? Lord Coke and sir M. Hale, in allusion to ex officio informations, had declared, that the more safe, regular, and constitutional proceeding, was by indictment. He did not produce these authorities for the sake of contending for the illegality of ex officio informations after a bill had been ignored: he wished with all his heart that he could that night establish their illegality; seeing what an engine it was in the hands of an attorney-general to crush any man or set of men obnoxious to government: but, he maintained, that they were contrary to reason, and to all the principles of the British constitution. Of one thing he was quite clear—that never until now had an ex officio information been filed after a bill of indictment had been ignored; from the Norman conquest to this day, there was not a single precedent of the kind. The attorney-general, indeed, maintained that there was a precedent. The precedent was this—In the reign of queen Anne the play of Tamerlane was to be acted in Dublin, upon king William's birth-day. The author had indulged very freely in compliments to the talents and virtues of king William, and a prologue, by Dr. Garth, was generally added to the play, which carried its commendations of the late sovereign to a height not quite flattering, perhaps, to the reigning one. Queen Anne, jealous possibly of the applause bestowed upon her predecessor, forbad the speaking of the prologue. A Mr. Dudley Moore, who was in the House, thought it hard that the prologue should be prohibited, and jumped upon the stage to repeat it himself. This proceeding led to a riot in the theatre, and subsequently to a government prosecution. And now he came to what was relied upon as a precedent. A bill of indictment was sent up to the grand jury, charging Mr. Dudley Moore with riot and conspiracy. The grand jury examined the bill, and determined to ignore it, but the foreman, by mistake, wrote "a true bill," instead of "no bill," upon the parchment; and the bill going down into court in that state, Mr. Moore was put to the bar and called upon to plead; nor was it until the grand jury had made affidavit of their mistake, that the bill was quashed, and Mr. Moore relieved from pleading to the indictment. Now, under those circumstances, certainly, the attorney-general of the day had thought fit to file an ex officio information against Mr. Dudley Moore. He had said to the grand jury, "If you do not find the bill, I will put the defendant on his trial;" and thereupon the right hon. gentleman claimed precedent for filing an ex officio information after bill of indictment ignored! But, could the right hon. gentleman go a step further with his precedent? Could he make it one point beyond the surface a precedent available? Could he say that he had a precedent for ex officio information tried after bill of indictment ignored? No: for the matter had been brought forward in the Irish House of Commons; a committee of gentlemen of the learned profession had been appointed to examine whether any precedent existed for the proceeding; and that committee had distinctly reported, that the thing was without example in the jurisprudence of the country. Surely, if this was a precedent, it was a precedent against the right hon. gentleman, and not for him. He wished the attorney-general to take the full benefit of it. A precedent in the right hon. gentleman's favour! It was a beacon—a flaming beacon—to warn all attornies-general—to show them how far they might go without the risk of parliamentary interference.

His charge against the attorney-general in the present case was for the adoption of harsh, oppressive, and unprecedented measures — measures tending to the prejudice of the individuals concerned, and to the public disadvantage. His charge admitted the legality of the proceeding. The very place in which he made that charge was a recognition of its legality. If there had been a bar—a regular bar—in a court of law, to the proceeding, it would have been needless for him to have come to the House of Commons with his case. It was urged, that the attorney-general must have the right of proceeding exofficio after a bill ignored, or the Crown would be placed in a worse situation than any private individual. Why, granted. And it was fit that the thing should be so. In the first place, it was infinitely less dangerous to concede such a privilege to an individual than to the Crown; and again, there was an infinite difference between a court's granting an information to an aggrieved subject, and an attorney-general's filing one at his own personal will or caprice. An individual claiming an information against an individual, claimed it at his own personal risk. He was obliged to enter into sureties; and, if he forbore to prosecute, or suffered a noli prosequi to be entered, his sureties were liable to be estreated for payment of the costs. But the Crown could pay no costs; it entered into no recognizances; and an attorney-general, so disposed, might go on filing informations, and harassing men with cruel prosecutions interminably. The fact of the Crown being a party in any case was of itself a most important circumstance. That the same laws might be most equitable between the people and the people, and yet most inequitable as between the people and the Crown, was a principle which no man could contend against. It was proved most fully in the case of ancient Rome, the value of whose civil institutions was universally admitted, while her political code amounted to a system of unlimited slavery. Surely it was not quite a singular case to find the Crown destitute of power enjoyed by the subject. The king had no power to arraign a man upon appeal for robbery or murder; but the subject could do it, and bring the offender to punishment.

But, the conclusive argument, as it was supposed to be, on the other side, came to this, that the course which had been taken belonged legally to the attorney-general. He (Mr. B.) said, that the grand jury was one of the barriers of defence to the people; it was the balance, as regarded the subject, to the power of the executive force. The course which had been taken by the right honourable gentleman was insisted upon as legal. Then it was a legal attempt to subvert the principles of the constitution, and to turn that power to the people's prejudice which was intrusted to the sovereign for their benefit. He was told that the act was legal. He cared not whether it was legal or no. Charles 1st had been told that ship-money was legal: he had acted upon that opinion, and that course had led him to the scaffold. James 2nd had been told by dependent and corrupt judges, that he had power to dispense with the laws of the land; the exercise of that power had cost him his Crown, and his descendants had been exiled for ever. It was said, that the course was legal. Legal or illegal, would it have been taken in England? Suppose the secretary of state for foreign affairs were to go to the theatre in this country, and that a party, who thought he had not sufficiently exerted himself in vindicating the cause of Spain, were to meet at a coffee-house adjoining Covent-garden, and to organise a plan for hissing that right honourable gentleman, and driving him first from the theatre, and subsequently from the king's councils. Suppose a bill of indictment were afterwards preferred against these individuals, and that the grand jury ignored it; he wished to know whether, in such a case, the English attorney-general would have ventured to file an ex officio information against them? He believed the attorney-general in this country would not have dared to take such a step. Then why talk of the thing being legal? Was the nature of the proceeding changed by occurring on one side of the water instead of the other? Was it meant to contend, that the same thing would be legal and constitutional in Ireland, and absolutely odious and intolerable in England? The question was not: how far upon strict law the proceeding in question could be borne out; the question was — had it been a constitutional proceeding, an expedient proceeding, or a proceeding which, under similar circumstances, would have been adopted in this country? He was of opinion, and it behoved him so to state, that it was not a proceeding of that character; and should therefore move, by way of resolution:

"That it appears to this House, that the conduct of his majesty's attorney-general in Ireland, in regard to the persons charged with committing a riot at the theatre royal in Dublin, on the 14th December last, particularly in bringing them to trial upon informations filed ex officio, after bills of indictment against them for the same offence had been thrown out by a grand jury, was unwise, was contrary to the practice, and not congenial to the spirit of the British constitution, and ought not therefore to be drawn into a precedent hereafter."

Mr. *Plunkett* said, that in rising on such an occasion as the present, the House would naturally suppose that he felt some degree of embarrassment. He had listened with great attention to the speech of the hon. gentleman. Many of the observations which had fallen from him were entitled to his entire approbation, and, allowing for some undue warmth which had characterised a portion of his speech, he was rather disposed to thank than to blame the hon. member for the temper in which he had brought forward this subject. But, at the same time that the hon. member had entitled himself to this acknowledgment, he could not but observe that he had indulged himself, in a very considerable degree of latitude, in the charge which he had felt it his duty to bring against the individual who now addressed the House. He could not help complaining, that when the hon. member brought forward a specific charge against him for having filed an ex officio information, after a bill of indictment had been ignored by the grand jury, he should have endeavoured, by all the powers of his eloquence, to involve him (Mr. P.) in all the odium which attached to the system of ex officio informations in general. The argument of the hon. member went the length of arraigning the power of the Crown to file ex officio informations in all cases, whether through its law officer or the court of the King's-bench. The hon. member had contended, that a grand jury was the constitutional barrier between the prosecutions of the Crown and the safety of the subject; but, if it were essential to the safety of the subject that a party should in no case be put upon his trial without the intervention of a grand jury, the whole system of informations must fall to the ground. If the proceeding by information were odious, illegal, and unconstitutional, he (Mr. P.) was not liable to the charge of having imported it from Ireland; for among all the institutions incorporated into the law of this country, there were none of more unquestioned antiquity and admitted legality, than the proceeding by information. If such a proceeding were opposed to the genius of our free constitution, it was somewhat extraordinary that it should not have been abolished in the lapse of a thousand years. He would admit, that no length of antiquity could sanction a practice which could be shewn to be wrong; but he must think it somewhat hard, that he should be selected as the object of censure, and that his conduct should be compared with that of sir George Jefferies, of infamous memory—with that of Empson and Dudley, and all persons who had inflicted misery on their country, and whose acts had brought down vengeance on their own heads. It was rather too hard that the accumulated odium of a thousand years should be reserved for this day, and thundered on his devoted head. The hon. member had contended, that the functions and privileges of a grand jury were impeached by this proceeding. It was impossible that any thing could be more eloquent, or more calculated to excite an auditory, than the observations of the hon. gentleman. He had touched a string which could not fail to vibrate. But, to what extent did the hon. gentleman mean to lay down the principle. Did he mean to say, that no criminal proceeding could be instituted without the intervention of a grand jury? He admitted that the functions of a grand jury ought not to be called in question, nor could any public functionary be guilty of a more gross breach of decorum than by vilifying a grand jury for the exercise of that discretion with which the constitution had invested him. But, was there any thing in his (Mr. P.'s) conduct which could justify a comparison with that of the odious Jefferies? When the grand jury returned their verdict, he was free to say, that he, in common with the court and auditors, was filled with astonishment, and that he did say on that occasion—"They have a duty to discharge within their province on their oaths, and they have exercised their discretion; I also have a duty to discharge, and, with the blessing of God, I will discharge it fearlessly and honestly!"—After hearing all the arguments which had been urged against him, he did not feel that he had been guilty of any thing that was inconsistent with the law and constitution of the country. He would put it to the candour of the hon. member, whether it was fair to couple any observations upon his conduct, with a reference to the filthy, the disgusting Billingsgate, which flowed from the lips of sir G. Jefferies, when he reprimanded the grand jury, and sent them back a second and a third time? But, said the hon, gentleman, though Jefferies sent the grand jury back a second and a third time, he did not venture to file an ex officio information. The reason why Jefferies did not proceed to this extremity had not occurred to the hon. gentleman, but it was a very simple one; Jefferies was not then attorney-general, but chief justice of the Court of King's-bench, and had no more right to file an ex officio information than the hon. gentleman had.

Another ground of complaint, against the hon. gentleman was, that it was utterly impossible to collect the extent of the charge which he had brought against him. The hon. gentleman had introduced a charge unconnected with the present question; namely, that of his (Mr. P.'s) having advised the committal of the parties for a capital offence, who were afterwards prosecuted only for a misdemeanor. This question had been already disposed of by the House, nor was there, in point of fact, the slightest evidence to shew, that the parties were committed at his (Mr. P.'s) desire.—The hon. member had brought forward a motion for censure without any evidence to support it, but he would not act so unworthy a part, as to shelter himself behind the total want of evidence. The magistrates who committed those individuals were responsible for their own act, and there was no evidence that they had resorted to his (Mr. P.'s) advice. He would frankly avow, however, that the magistrates did resort to his advice. The hon. member said, he had been assured by high legal authority, that no man ought to be committed on a capital charge, unless there was irresistible evidence of his guilt. He begged to say, that no such irresistible evidence was necessary to warrant a committal upon a capital charge. In the present case, he had held himself bound to advise the committal upon a capital charge, although he did not think it advisable to follow it up by a capital prosecution. The information upon which he had advised the committal had not been laid before the House. It had been very properly withheld; not for the purpose of screening himself, but for the purpose of protecting the magistrates. He, however, was perfectly ready to meet the hon. member, and to state the grounds upon which he had given that advice. He was perfectly ready to state again the grounds upon which he had acted; and he felt it due to his own character and honour to shew, that he had not subjected any man to the deprivation of his liberty, on hasty, light, or insufficient grounds. When the parties had first been taken up, they had been committed upon the charge of misdemeanor. He (Mr. P.) had at that time only heard the circumstances attending the riot; and, although he had thought them daringly outrageous, he had not thought that they amounted to what would constitute a capital charge. Some persons in the theatre had done that which endangered the life of the lord-lieutenant; but he had not seen any thing to warrant his believing that there had been a conspiracy to take away the life of the lord-lieutenant. In the course, however, of the seven days' examination which followed, facts had come out which tended to show that the riot had been the result of premeditation, and that the person who had been the principal agent in the conspiracy, and who had assisted in packing the house for the purpose of making the riot, had connected himself with the attack upon the person of the lord lieutenant. It had been attempted to throw ridicule upon that attack, through the implements with which it had been made. It was easy to make jokes upon a rattle or a bottle; but neither a rattle nor a bottle would be a very pleasant joke, if flung at the head of any hon. gentleman.

If that bottle had struck the lord-lieutenant on the head, instead of striking the cushion of the box in which he sat, it would in all probability have taken away his life. And, what followed the throwing of these weapons? Why, Mr. Forbes at once expressed his regret that they had missed. One of the offenders, declared, that they were determined to hazard their lives for the attainment of their object, and hoped, on another opportunity, that they should be more successful. It was said that this man was infuriated with drink, and that he should not be made responsible for words so inconsiderately spoken. But, the same intemperance, the same uncontrolled fury of passion, which allowed him to use these expressions against the lord-lieutenant, might prompt him to deeds which would put the life of his excellency in peril; and he (Mr. P.) would not have discharged his duty, if he had not advised until full deliberation upon the proper mode of prosecution could be had, that the parties should be held in custody. Accordingly, three persons were arrested; the man who flung the bottle, the man who flung the rattle, and the man who had made use of the expressions before mentioned.

There was one thing to which he would entreat the attention of the House, and particularly that of the country gentlemen; and that was, the state of the law and the practice with regard to the conduct of grand juries. He trusted he should be able to satisfy the House, that it was no novel, violent, or unconstitutional thing to question their decisions. He hoped to be able to show that there was nothing in it so very hostile to freedom, or so adverse to the spirit of the constitution as had been alleged. In doing this he would, in the first place, point out that trials upon information were really the law. This was the more necessary, not only on account of what had been said by the hon. gentleman, but on account of what had been detailed in newspapers, and taken up and repeated till the ears of the country had rung again. On this account he felt it necessary to go at some length into the proof of the legality. In the first place, there was no point of the law more clear than this, that the ignoring of a bill by a grand jury was no bar to subsequent proceedings by indictment. Nay, the bill might be again and again sent to the grand jury, and again and again, ignored, toties quoties. It might be questioned by the same grand jury or another, and from this it was evident that the verdict of a grand jury was not a sacred thing. In the next place, he hoped he would be able to shew, that the method of proceeding by indictment upon information was as old as the constitution, and, as such, formed part of the constitution itself; that it formed a part of the general administration of justice as much as any thing else which belonged to that administration; and not only that, but the reason was distinctly assigned: namely, to guard the Crown and the public against the defects of the administration of justice. Before the Revolution, this power of filing informations was assigned to two officers—the king's attorney-general and the master of the Crown-office. The attorney-general exerted it for offences which were peculiarly against the king's person or government. The master of the Crown-office exerted it for the prosecution of offences of a lower degree, which were not so easily rendered amenable to the ordinary process of law. Each of these officers was at liberty to exert the right of filing informations: their power was co-existent; one of them could do it to the same extent as the other; nor had one of them greater authority than the other. This was the case down to the time of the Revolution. The hon. member had referred to this power, as if it were a remnant of the jurisdiction of the star-chamber, so justly odious. Whereas at the abolition of the star-chamber tribunal, a period remarkable for the constitutional jealousy of parliament, it had been expressly stipulated, that nothing in those proceedings should impeach the right of the Crown to proceed in particular offences by filing informations. This of itself proved, that the power, even in the period of the greatest jealousy as to the liberties of the country, was held to be quite compatible with the constitution. The right of the Crown had been exercised in the manner he had before described, down to the period of the Revolution. The act of the 4th and 5th William and Anne, introduced some new regulations. In the debates upon that act, the mode of proceeding by information was brought into question. Some members were of opinion, that it would be a good thing to get rid of it altogether. Repeated conferences were had upon the subject; and especially upon that part of it which related to informations consequent upon parliamentary proceedings. The act at length passed, by which the power before enjoyed by the master of the Crown-office was brought under very considerable restraints, and that officer was disabled from proceeding by information, except under the permission of the court of King's bench, to which he must address his application under affidavit. But the power of the attorney-general was reserved unmolested, and was to exist in just the same extent as before the passing of the act; and therefore the attorney-general must be considered as having the same power and discretion in proceeding by information, as the master of the Crown-office had before the statute of William. The act gave the attorney-general no power which was not enjoyed by the master of the Crown-office. It did not enlarge the jurisdiction of the King's-bench in any degree. He prayed the House then to attend to the direct and reasonable inference. If the attorney-general had a power co-extensive with that of the master of the Crown-office before the passing of the statute, so he must be held, as far as the right of filing informations went, to hold a power co-extensive with that of the court of King's-bench. At any rate this could not be disputed with him in regard to that class of informations which went to prosecute offences against the state. If this were not admitted, they would be driven to the monstrous conclusion, that before the statute of William, the master of the Crown-office had greater power and authority than the attorney-general, a proposition much too wide for discussion; and therefore he would not involve the House in it. He thought he might safely assume that the attorney-general enjoyed this power in a concurrent degree with the court of King's-bench and that he was at liberty to proceed by information or indictment, acccording to his discretion. He appealed to the professional members, if there was a single case in the books which affected to establish a difference, as to the rule of law, between proceedings by indictment and by information. It was the clear and established principle of law, that no subject could be called on to plead to, or be tried for, the same offence twice. But, there was no protection from further proceedings until after the trial. Now, the presentment before a grand jury was no trial: it was only a proceeding towards a putting the defendant on his trial; and therefore he must show, not the decision of a grand jury, but the acquittal by a petty jury. He defied any lawyer to show that the application of the principle had ever admitted any distinction between proceedings by indictment and by information. Ignoring the bill was no bar to a new prosecution either way; nor any thing short of an acquittal by a tribunal competent to try the information.

To establish these points, he had had recourse to that place where alone it was possible to come at the precedents which guided him; and he would now proceed to state what were the results of that investigation. The case had all along been treated, as if it were something quite new to have recourse to an information after the ignoring of an indictment, and as if he had acted in a manner highly indecorous in making any remark on, or attempting any opposition to, the finding of the grand jury. The House would see how this assumption accorded with the fact. The Crown-office had been searched, and he was now to inform the House what was the result. The first case was, the "King against Hope" (Trinity Term, 8 and 9 George 2nd). The motion was for an information on a charge of trespass and assault. It was insisted in the defence, among other things, that the prosecutor had already proceeded by indictment, which was ignored by the grand jury. This was the very case on which they were now at issue. Yet there was no condemnation on those who questioned the exercise of these functions by the grand jury—there was no complaint of throwing a slur, or attempting to discredit them. It had been asked, was it not most unjust to impeach the conduct of those who, being sworn to secrecy, could not be allowed to explain. This, if true, was equally applicable to the court of King's-bench. But, the fact was, that neither the court nor the grand jury were called on for a defence. The question was not between the court and the jury, but between the criminal and the public—whether offenders should be allowed to escape through a failure in the exercise of the functions of grand juries or not. The defendant, in the case before-named, pleaded that an indictment which had been presented was ignored. The answer given by the court was, that the ignoring of the bill was the very reason why the information should be granted; and that it was one of the great privileges of the subject to be secured, by this mode of proceeding, from the loss of his just remedy on cases where, from little party heats and local irritations, that was likely to happen; and this was assented to *per totam curiam.* It appeared from the report, that the grand jury attempted to send the witnesses away; that they were unwilling to ask them any questions, and appeared to wish to turn the whole matter into ridicule. Here was not only the case of passing by the decision of the grand jury, but the particular grounds of conduct in the grand jury were also alleged. Here were reasons given, which went beyond the statement just now made by the hon. member. And who said this? He could assure the House he was not using the words of judge Jefferies, nor of Empson or Dudley; nor of any other of the odious authorities with whom he had been compared. This was the decision of lord Hardwicke, in which it was declared, that the attainment of justice was not to be frustrated through little party heats and local irritations. The next case to which he would allude, was that of the King against Thorpe. This was a prosecution for a nuisance. In this case it was alleged that an *ignoramus* had been returned by the grand jury. This was not a case in which there were political ferments, and in which the jury had got into little party heats; yet, Mr. Bearcroft said, there was reason for filing the information, and lord Mansfield made the rule absolute, upon the ground that some of the grand jury had been influenced in favour of Thorpe. The next case was that of the present King against the Inhabitants of Berks, in the matter of the repairing of a bridge. From the affidavits it appeared, that this case had been sent to the grand jury, and had been ignored. A second presentment was made, when lord Folkestone was in the chair. This was again ignored; and it was presented a third time, when Mr. Dundas was in the chair; and it was a third time ignored, upon which an information was filed. He hoped he had now adduced cases enough to prevent the notion from becoming universal, that the inoculation of this obnoxious right had not been communicated by him; that the taint to the constitution could not be of his giving, but that it was as old at least as the time of lord Hardwicke. Now, if in this country, it was necessary to have a check over the local heats and the misconduct of grand juries, he would appeal to the House whether it would be safe that a similar check should be withdrawn in Ireland? He had looked over files of the records of the courts in that country, and he had found no fewer than thirteen cases since the year 1795, and these had had the sanction of lord Clanwilliam, lord Kilwarden, and chief baron Downes. The first to which he would allude, was in February, 1795, and it was for perjury. Some of the other cases were trivial, but if in the strong ones there was misconduct, that was sufficient to establish the necessity of the right. In another case, the grand jury of Westmeath had thrown out the bill; and the affidavit stated, that this had been done by the address of one of the grand jury. He would pass over the other cases, except two, which were valuable; inasmuch as the affidavits upon which the informations were filed contained no charge of misconduct. These cases were, the King against Paterson, and the King against Crawford, and they were both for sending letters with a view to provoke challenges, and in neither of them was any accusation made against the grand jury, further than that they had ignored the bills, by some influence unknown to the deponent. He should trouble the House with one more case, the more important as it referred to the very grand jury who had ignored the bills preferred by him. What would the House think, when he informed them, that at that very hour a conditional order of the court of King's-bench of Ireland existed, to set aside the finding of that very grand jury, on the ground of misconduct at the very same sessions? He had the copies of the affidavits on which that conditional rule was granted; but as the case was still pending, he felt some difficulty as to the manner of expressing himself from a reluctance to mention names. The affidavits allege the misconduct of the grand jury as the ground for setting aside their finding. The bill on which they found *ignoramus* charged A. and B. with a conspiracy to defraud a third party. A. got B. to make oath that he had received a sum of money for the purpose of defeating the claim of C. Two witnesses were examined. The grounds of misconduct, as alleged in the affidavits, were, first, the refusal to receive a letter of one of the accused, because they would have nothing to do with a written document; and next, that they would not admit conspiracy, because the witnesses would not swear that the parties committed perjury. The interrogatories were curious. "Did poor M'Mahon," said the jury (that was not the real name) "to your knowledge commit perjury." Witness—"No, the charge is for conspiracy." The witness was then shown the door [Hear, hear!], and the bill was ignored.

He had now concluded his reference to cases, and should next apply himself to the argument that was drawn from the want of precedent. He had been asked, if he was justified in the course he had taken; where were his precedents? Where, he would ask, in all the cases he had alluded to, could they have looked for a record? The truth was, that where, after a bill being ignored, an attorney-general subsequently filed an ex officio information, it was impossible that, either on the information, the evidence, or the defence, the finding could be found; as it was wholly immaterial to all. When, therefore, he was asked for precedents, his answer was, that from the nature of the question, it was impossible to produce them. And yet the hon. mover had been pleased to taunt him with having pursued a course for which he could produce no precedent in the history of the country. Every man acquainted with the subject was aware, that it was rarely that an attorney-general felt it necessary to seek the intervention of a grand jury. He had, however, in the present instance, deviated from the custom, and made a reference to that "constitutional barrier;" but, after the lesson that had been read to him, he was free to confess, that he did not feel much disposed to repeat the application. No man would deny that the treatment the king's representative received at the theatre at Dublin, was of that marked character, as to have justified his majesty's attorney-general in having recourse to the habitual practice of both countries, and filing an ex officio information. What, then, was his crime? Not that he had filed such an information, but that he had gone to a grand jury. It was for this crime that he had been assailed with all the lightning of the hon. mover's eloquence; it was for this, that all the terrors of the violated constitution had been arrayed against him. But it was said, "it was a mockery to go to a grand jury, unless you were determined to abide by their finding." Such an observation was inconsistent with the first principles of justice. He could, were it necessary, refer to cases where it was laid down by judges on the bench, that, with the view of saving expense to parties in the country, the reference to a grand jury in the first instance was desirable. But he could easily suppose a case where an attorney-general would feel a desire to have his own judgment backed by the opinion of a jury of sound and honest men. Was it therefore to be concluded, that if that functionary had reasons to know that, in place of that sound and honest opinion, the case submitted to that jury had been decided under sinister and improper feelings, he was therefore to allow the principles of justice to be defeated—that he was bound by a step in the pursuit of justice, to allow the ends of justice to be subverted? He would suppose the case of a grand jury, who, when a number of witnesses were introduced for examination, placed their hands on their ears, and threw their legs across, in evident demonstration of the determination to pay no attention—would any man, under such circumstances, assert that the principles of justice were satisfied? If, in addition to this, it could be shown, that the finding of such a grand jury was wholly disproportionate to the evidence produced before it, would any sound mind venture to pronounce that such a jury had arrived at a legitimate decision? Admit the opposite inference, and what must be the consequence? It would be this—that the very constitutional barrier, emphatically dwelt upon by the hon. mover, and with the violation of which he (Mr. P.) was accused, would become inoperative. If, while it was open to the subject, redress was refused to the Crown, no future attorney-general would venture to go before a grand jury; and thus, by the very argument of the advocate of that great constitutional security, all its valuable results would be lost to the subject. It was, perhaps, unnecessary to state, that after the finding of a grand jury, the Crown could obtain no redress from the court of King's-bench. The language of the court was, that "We will not do it, because you, the king's attorney can do it yourself." If, therefore, it was illegal, after a grand jury had ignored a bill, for an attorney-general to file his information, to the king would be denied a right of redress, to which the meanest subject was entitled. The right hon. gentleman then proceeded to read from

Burrow's Reports cases, in which the court of King's-bench had refused to interfere with the finding of a grand jury where the Crown was a party, on the very ground that its interference was unnecessary, as the king's attorney possessed the power. With respect to the case of Moore, he should first say, that it was by accident, and from the peculiarity of the circumstances which arose out of it, that it was possible to cite it as a precedent. The grand jury had, in that instance, found the bill where they intended to find *ignoramus*. They subsequently made affidavits, stating it to be a clerical error, and with the hope of being allowed to rectify it. The court refused the application. The attorney-general, unwilling to put the party on his trial after such an admission from the jury, quashed the indictment, by issuing a noli prosequi. He then filed his information ex officio. The circumstances excited considerable public attention: the notice of parliament had been attracted to it. After an examination of the question, parliament petitioned for the removal of the judge (the House would mark that fact), while no complaint whatever was even suggested against the attorney-general, for filing his information. Here, then, he might rest his defence, did he not know that far more important considerations demanded of him to show that, in the case of the Dublin grand jury, had he acquiesced in their finding, the ends of public justice would have been defeated. He would first apply himself to the finding. It appeared from the papers, only that night presented to the House, that thirteen witnesses had been examined before that grand jury, exclusively of other witnesses produced on the trial of the traversers. He had no hesitation in saying, that any impartial person, looking at the evidence, would at once declare that there was no part of that bill of indictment, whether it referred to the conspiracy, to the riot, or to the assault, that was not completely and demonstratively proved. There was no sound mind that would not admit that the men who could have brought themselves to such a conclusion as the Dublin grand jury had, could not have arrived at it by legitimate means. It had been distinctly proved, that a plan had been formed to commit a riot; that in furtherance of that plan, a number of persons assembled at the theatre; that a missile had been thrown by Graham; that Forbes had gone the day before to the theatre to buy tickets for the purpose of packing an audience—that Forbes was taken with the whistle in his hand with which he incited the rioters; that at a subsequent meeting at a tavern, he had expressed his concern at the failure of their purpose, and his hopes of success on a future occasion. Yet, with such evidence, the grand jury ignored the bill. He would candidly put the House in possession of what he felt to be the impressions under which that jury acted. It was his conviction—a conviction which he felt with all the force of a moral certainty—that they, the grand jury, conceived the plan of these rioters to be a very right and proper plan. They conceived that, when the lord lieutenant, in compliance with the expressed desires of his sovereign, had exerted himself to conciliate the various classes of the Irish people, and to put an end to the heart-burnings which had so long embittered that community, it was extremely proper and lawful, that certain persons, whom, for something or for nothing, he (Mr. P.) had designated as a "gang," should seize the first opportunity that presented itself, for marking their powerful disapprobation of such an acquiescence in the expressed commands of his majesty. To that extent they felt it highly proper the opposition should proceed; though they were not prepared to go the length of thinking that it was right to fling bottles and rattles at his majesty's representative. That, in his conscience, he believed to be the decided conviction of the grand jury — a conviction, he also believed, which the greater portion of the Dublin corporation did not consider erroneous. Such, indeed, was the statement of one of the counsel, who, on the subsequent trial, defended the traversers. It was, however, not the opinion of the chief justice who tried them; from whose charge he would read a short extract:

"Before I proceed to sum up the evidence, it will be necessary for me to examine a doctrine asserted by the traverser's counsel in opposition to what I have announced, as the opinion of the court upon the law of the case. It has been insisted, that in a public theatre, any man has a right to disturb and terrify the audience by expressing his censure, or approbation of public and political characters; that such right has been constantly exercised and enjoyed in the theatres of both countries; and that such a disturbance of the peace, under such circumstances, loses its illegal character, and becomes excusable. There is no such right. It is a position not founded in point of law. If allowed to go abroad uncontradicted, it would be productive of the most dangerous consequences. The rights of an audience at a theatre are perfectly well defined. They may cry down a play or other performance which they dislike, or they may hiss or hoot the actors who depend on their approbation, or their caprice. Even that privilege, however, is confined within its limits. They must not break the peace, or act in such a manner as has a tendency to excite terror or disturbance. Their censure or approbation, although it may be noisy, must not be riotous. That censure or approbation must be the expression of the feelings of the moment. For, if it be premeditated by a number of persons confederated before-hand to cry down even a performance, or an actor, it becomes criminal. Such are the limits of the privileges of an audience, even as to actors and authors. But if their censorial power were to be extended to public or political characters, it would turn the theatre into a den of factious rioters, instead of a place of cultivated amusement, or, as some conceive, of moral improvement. What public man in any department would himself go, or would take his family to a theatre, if he were to incur the risk of being hissed or insulted by a rabble, instigated by ruffians, exasperated perhaps against him by the discharge of some public duty? We are, therefore, anxious to disabuse you as to this topic, which has perhaps not unjustifiably been used by the counsel for the traversers, but which we are bound to discountenance; and to tell you, that no length of time during which licentiousness may have remained unpunished, can be sufficient to sanction so mischievous a pretension, or protect it from the reprehension of a court of justice."

Such was the view of the law as taken by the chief justice of the King's-bench. Such was not the view of the law taken by the Dublin grand jury. They, in their wisdom, thought the public conduct of the king's representative a fit and proper subject of animadversion and outrage at a public theatre. When they ignored the bills, they had determined to throw their protection around those who had seized the first occasion of showing that the experiment of governing the people of Ireland under the protection of equal laws, was a dangerous experiment to him who had the virtue and the courage to try it; they had determined to give a decisive proof that in Ireland there was a power hostile to its population, and superior to the throne itself. It was in opposition to such feelings and such a determination, that he appealed to the law, as the functionary of the Crown. Were he even on the ground of form, to be made the object of the censure of that House, the principles on which he had acted would nevertheless be to him the source of unceasing consolation. It had been said, that he had no right to justify himself for the course he had pursued, by any reference to what the evidence on the subsequent trial disclosed. To that he must reply, that if any man found the conclusion to which he had arrived, borne out by results, he was entitled to refer to those results, in order to prove the propriety of the course he had adopted. What, then, was made manifest on that trial? It was proved, that a plan had been concerted at a meeting of an Orange lodge. It was with reluctance he introduced Orangeism into the discussion. He had lived many years in the city of Dublin, and in habits of intercourse with very respectable persons, supposed to be attached to such associations, and never in his life had he had any altercation with them. I have, however (said Mr. Plunkett), ever deprecated their existence. I hold them to be illegal, and subject to the penalties of the statute law. I consider an association, bound by a secret oath, to be extremely dangerous on the principles of the common law; inasmuch as they subtract the subject from the state, and interpose between him and his allegiance to the king. As an exclusively religious association, their unequivocal tendency is, to defeat the power to govern by equal laws, and to keep the various classes of the population in a state of positive war. The natural consequence of their existence has been, and must be, to produce exclusive Catholic associations, equally hostile to good government, each arrayed against the other, and both against the law. As a public officer of the constitution, I have felt it to be my duty to enforce the law against Catholic secret associations. From that duty, when circumstances called for its exercise, I have never shrunk. But, how should I reflect upon my own actions—if I were capable of visiting with the terrors of the law the one class of the community, while I shrunk from its application to the other? It is the system of Orange associations that places the Protestants of Ireland in imminent danger. The support of the Protestant was in the law. It was only when he stepped beyond the precincts of law, and challenged the population of Ireland to hostility, that he endangered his safety and risked the security of the establishment. It is because I wish well to that establishment, that I deprecate the existence of Orange-societies. But, to suppose that I could descend from my rank and character in society to prostitute both, through rancour against any party is an imputation of which I feel myself to be undeserving. If my life and character is not a shield against such a suspicion, no defence that I can offer would be entitled to the attention of this House.

To return to the evidence, it was proved that five persons, one of them enjoying a lucrative office in the Post-office, had arranged the outrage against the lord-lieutenant. They had determined to give a proof of the unpopularity of his administration, on the first opportunity. The visit of his excellency to the theatre, furnished that opportunity. When apprised of that intention, it was determined by the rioters to drive him from the theatre, and by such a manifestation of opinion to compel him to desist from the course of rule that he had followed. It was to be remarked, that whatever private opinions the lord-lieutenant might entertain on certain questions, he had abstained from mixing them up with his public acts. It did so happen, that from the control of events without any reference to inclination or otherwise, he had not conferred a single office on a Roman Catholic from the commencement of his government. His offence was, that he had endeavoured to give effect to the mandate of the king. And yet, these were loyal, very loyal men, who assaulted the king's representative! On the trial it was proved by witnesses, and enforced by counsel, that there was not a more loyal subject to the king than Mr. Forbes, who packed the audience. Loyal no doubt he was, most loyal—so long as the king governed his subjects in the way that Mr. Forbes approved. In that acceptation of the word, there were not more attached members of the community than the Orange-lodges of Ireland. And truly loyal, and most estimable in every consideration, they would prove themselves, would they but throw aside the follies of their secret associations. But it was the inevitable consequence of associations which confounded the respectable part of society with the low and the turbulent, that the first by the unnatural connexion lost their superiority and influence, while the other were emboldened in their violence. To resume his narrative, The theatre was packed; persons were sent to occupy different parts of it, whose admission was purchased, and who were inflamed with ardent spirits, according to the arrangement of Forbes, who went himself into the lattices, or upper-boxes, to keep up a communication with the rioters, who were to act under his direction. When such were the facts which had been established by evidence, was he not right in his opinion that the grand jury had acted upon a false principle in coming to the conclusion which they had done? The hon. member had called on him, on the supposition of a variety of facts which had nothing to do with the motion. He had not, however, made out his case. While he, (Mr. P.) had not only grounds for impeaching the decision of the grand jury, but also the manner in which it had been impannelled. He had reason to know, that the sheriff was related to two of the traversers, in the close affinity of first cousin. This, had he known it at the time, would have been ground of challenge to the array. He had also in evidence upon oath, that the sheriff declared that the traversers need not be afraid of the result of the trial, as he had a list of Orangemen for the jury in his pocket [hear, hear!]. Another circumstance would shew the spirit in which the grand jury was impanelled. There was a person, named Poole, who was desirous of serving on the grand jury. The sheriff promised him previously to the riot, that he should be on the jury; but, after the riot, he found that his name was not on the list, and when the sheriff was applied to on the subject, he said, "Do you suppose I would allow a man to be on the grand jury, who said he would abide by the king's letter?" He (Mr. P.) did not mean by such statement to inculpate the members of which the grand jury was composed. It was, indeed, a gross impropriety in the sheriff, if he selected jurors under manifest prejudice; but as to the jurors themselves, they were not perhaps aware of the prejudice, or if they were they would forego it. There was another objection to the mode of impanelling the jury. When he found that a whole day had passed without finding the bills, he procured the panels of the five preceding years. He found on inspection that there were from about 70 to 100 on each panel, and that on calling the panel it was with difficulty the requisite number of the jury was made up after calling the whole list. In the present instance the number was only about 50, of which there were about 26 names that he did not find on any other panel, and the whole number attended, with the exception of two or three; they answered in regular order, and before the 26th name was called the jury was completed. He would put it to the candour of the House if he would have been justified in going back with the case to such a grand jury. He would ask the hon. member himself this question, as a man of honour, and he was sure he would answer it fairly. He would put it to the candour and honour of the House, whether he had acted in a manner which the circumstances of the case did not justify [cheers]. He had the affidavit of a person who assisted in the office of the sheriff, to the effect, that when the jury was about to be struck, according to the usual course of the office, the sheriff ordered the panel to be brought to him, and said he would prepare it himself! he who was a relation of two of the traversers, and the deponent swore, that he believed this course was taken, to enable the sheriff to deal with the panel as he pleased; though he was sworn to do impartial justice between the parties! The right hon. gentleman then adverted to the evidence of a person named Farley before the grand jury. He was a person who had overheard at the tavern in Essex-street, a conversation respecting the riot in which Forbes was principally concerned. That person deposed; that he saw a man in the tavern who stated certain things—that man was Forbes; though the deponent did not know his name at the time. He was asked by the jury if he knew the man's name, he said, "No, but that he saw the man in the traverser's box that morning, and he now knew his name to be Forbes." He was told by the jurors that it was no matter what he knew now; he should confine himself to what he knew at the time. This person went back two or three times to give his evidence, and it was always received as evidence against a person unknown. This evidence had been confirmed by that of a man named Troy, and it would be seen by his examination, that the jury were determined the question should be considered as exclusively Irish [a laugh]. The jury wished to throw some imputation on Farley, who was a Protestant, as being a Roman Catholic, and this they attempted to do through the evidence of Troy. They wished to learn from the oath of Troy, who was a Catholic, whether Farley was a Catholic also, that he might be disregarded on his oath; when Troy was so interrogated, he said he believed not. A juror said, tell us what you know, not what you believe [a laugh]. Troy answered, "I believe you to be a Protestant, and in the same way I believed Farley to be one;" but on that ground the jury would not believe that Farley was not a Catholic. He next alluded to the evidence of a person named Ryan, who was asked whether he was counselled or instructed to appear there? He declared he was not; he was asked what motives he had in coming forward to give his evidence? He was also asked, whether he could be mistaken as to the person of the man who threw the rattle? He said, it was impossible. He was asked what description of person he was? He said he was a sallow-looking young man, whom he should know again, though he never saw him before. He was asked, were there not many men alike. He was asked, did he not say that he might be mistaken in the, person? He said no. The juror replied, you did, for I have it down in my notes. He believed he had succeeded in shewing the legality of the power which he had exercised, if, however, it was allowed that the power was legal, but the exercise of it unconstitutional, he professed he could not understand the distinction. If it was unconstitutional to exercise a prerogative, it ought to be taken away, but it might be said, the power was both legal and constitutional, yet it had not been execised with a sound discretion, and for such exercise the party was answerable. The cases were very different. If the power was illegal, the fact of having exercised it would have been a prima facie case against him, and the very statement would have put him on his defence. But, if the power was legal, and to be exercised on a sound discretion, then it lay upon his accuser to show that he had acted culpably in its application. And, what evidence was there of this? There was no evidence but what came from his own lips. His own explanation furnished the evidence: and on that evidence he was sure, that, in the opinion of the House, he should stand acquitted. The mode pursued was not a fair way of dealing with a public functionary. He should not be condemned for the exercise of a discretionary power, unless it was shewn that he made use of it as an instrument of oppression and injustice. But, where was there any evidence to shew that he had turned a prerogative of the Crown to party quarrels, or private resentment? He would allow that others might have acted more wisely in the same situation than himself; but he denied that any could have acted more honestly. If he had acted on a mistaken motive, let it be shown; but no man could prove that he had acted unconstitutionally. He disdained the imputation of an improper motive. He had spent a long life connected with politics, and every man who knew him was aware that he never had been actuated by the feelings and sentiments of party. Much of the obloquy which he had lately endured, and endured, too, from those who were never before united on any one point, was occasioned, he believed, because he would not lend himself to party views. He, however, had never sought to benefit himself by treading in such crooked and devious paths. He was opposed to zealots of every party. He was inimical to the little sects and the little policy which did so much mischief in his native country, and he should feel happy if they were done away. The present question was one of great importance. It involved the proposition, whether in future the laws were to be administered in Ireland on the principle of impartial justice—whether the king was to be permitted to exercise, for the benefit of the people of that country, the gracious disposition which he had shown towards them; or whether they would tolerate a party which was alike calculated to put down the king and the law? He had now put the House in possession of his case; and he would leave it to their honour and justice. As it nearly concerned him personally, his situation was one of great delicacy, he should withdraw during the discussion, and leave the House to the free and unconstrained exercise of its judgment.—The right hon. gentleman then withdrew amidst loud cheering.

Mr. *W. Courtenay* said, he thought it quite impossible, that the motion could have any other tendency than that of continuing and increasing the unfortunate spirit of party at present the bane and curse of Ireland. Ireland was degraded and rendered miserable, by a spirit of party, which it ought to be the object of every man to allay. What, then, would be the effect of this motion? In order to consider that point, they must consider the situation in which the parties were placed. It was only by attentively looking at that state of parties, that he had come to the determination to propose to the House the course which he thought it would be most advisable to adopt. His opinions and feelings certainly led him to put a decided negative on the motion; but other considerations would induce him to substitute an intermediate course. He took that course because he trusted the House would not be led to give what might be considered a triumph, to any of the parties into which Ireland was unhappily divided. An upright and impartial administration of justice in Ireland appeared to be the sole object of his learned friend. His learned friend had proved, that the power which he had exercised was legal and constitutional; and next, that it was necessary for the safety of the country He would state it, as his deliberate opinion, that the attorney-general for Ireland had used his legal prerogative fairly and honestly; and he thought that his learned friend would have been guilty of a gross dereliction of duty, if, in consequence of the dread of popular clamour, he had shrunk from the discharge of his official functions. Could any one say, after hearing the evidence, that he had acted on any other ground but that of the sound discretion upon which a public officer was bound to proceed? The motion he intended to make would prevent the different parties from assuming a triumph on this occasion. He took that course, because he felt most strongly the necessity of allaying party spirit in Ireland. He concluded by moving, "That the other orders of the day be now read."

Colonel *Barry* said, that three parts of the learned gentleman's vindication of his conduct consisted of a defence of the legality of his proceeding but nobody denied its legality. He had also tried to establish a precedent by a citation of nineteen cases, in which the conduct of grand juries were impugned, and rules granted by the judges for ulterior proceedings; but there was no analogy between what was done by judges, and what was done ex officio by an attorney-general. In the one case the parties could obtain a hearing against the rule; but there was no such hearing before an ex officio information was issued. The learned gentleman had alleged great cases of delinquency; first against the sheriff, who returned the jury panel; and secondly, against the jury. Attacks against persons not present to defend themselves ought to be received with considerable circumspection. Now, the practice in Dublin was, for each of the sheriffs to return the panel at alternate sessions, and at the time of the late prosecutions it fell to the turn of Mr. Sheriff Thorpe to return the panel; but he was prevented from doing so, by an order from the solicitor for the Crown, who directed that the panel should be returned and signed by them conjointly; and they declared that they returned the same panel which was usually prepared for similar sessions. The learned gentleman had talked of the affidavit of a man named Connell, who said he had heard the sheriff declare that he had an Orange panel in his pocket. This man said, that this conversation was held by the sheriff in a room in which there were eight other persons. In contradiction of this statement, he held in his hand the affidavit of the sheriff and of seven of the persons in whose presence it was alleged to have been used, positively denying that any such conversation occurred. It was said, that in the case of a witness named Moran, the grand jury had only asked the man two questions, and then turned him out of the room. Now, he had authority to say, that such was the evidence given by that man, that the jury had actually determined to indict him for perjury, and were only dissuaded from doing so by the advice of counsel, who represented that the proof must be derived from disclosures out of the grand jury room, which would be a violation of their oath of secrecy. The learned gentleman had said, that the grand jury had only examined 13 witnesses. This was incorrect, for they had had 27 before them, only 12 of whom had afterwards been called before the petty jury. Indeed, the principal persons to prove the conspiracy on the trial were two who had never been before the grand jury. They were of the name of Atkinson, and he verily believed had been the instigators of the conspirators, for the ultimate purpose of betraying them and profiting by the act. One of them, John Atkinson, had been employed by government, in 1814, in the storekeeper's department of the Customs. Of the stores under his care about 250*l.* or 300*l.* worth of coffee was subtracted; and the suspicion fell upon him. He was dismissed by the deputy store-keeper, who was prevented from bringing the case before the board by Atkinson's father, who was a clerk of the police, and who entered into a bond to indemnify the losers; and the merchant, being remunerated for the coffee purloined, made no further complaint. This Atkinson's brother George took possession of his place, and his salary went in liquidation of the father's bond; the dismissed person being occasionally employed as a supernumerary in the same department. He was one of the most conspicuous Orangemen at the dressing of the statue on the 4th of November. He was remarkable for his inflammatory speeches, and efforts to propagate doctrines as party principles, the operation of which had inflicted so much evil on Ireland. How was it that he obtained the appointment of clerk of deliveries in the Customs, when this conduct was so recent and notorious? There were always about every government, a set of low, grovelling wretches, ready to make their court by any act of subserviency [hear, hear]; and it must be under such protection, that men like this were preserved. He had no doubt that the real conspirators were the family of Atkinson; and that they had instigated others who were heedless and thoughtless, perhaps vicious, to an act of criminality, which he abhorred as much as any man, and which he wished had met the condign punishment of the law—a punishment which must have awaited them, had the attorney-general sent up a fresh bill for the riot, with the words *cum multis aliis*, which had been so unaccountably omitted in the bill found by the grand jury. He would ask the attorney and solicitor-general for England, whether they would have pursued the same course in this country, which the law-officers had pursued in Ireland? Their answer would have a material influence upon the decision of the House.

Lord *Milton* said, he came down to the House prepared to support the motion.

He was greatly surprised, however, to find that that hon. mover had abandoned the strong hold which he possessed against the attorney-general for Ireland. By the form of his motion, which implied a general disapprobation of the right hon. gentleman's conduct respecting the persons who had been arraigned, he opened the door to a difference of interpretation as to the grounds on which any hon. gentleman might support the motion. In his (lord M's) opinion, it would be uncandid towards the right hon. gentleman, and unfair towards the government of Ireland, to place so general a proposition on the journals. For, certainly, if there ever was a case which would almost justify a violation of the law, it was the case which the right hon. gentleman had stated to the House. Unquestionably, it was desirable to bring to condign punishment persons who had ventured to trifle with the most sacred duties. If the sheriff of Dublin, or of any other country had dared so to comport himself in his high office, it was the bounden duty of parliament to interpose, and to teach him his duty. As to the amendment, he confessed his extreme surprise at it. He did not think the right hon. gentleman would be much gratified, if the House were merely to pass to the order of the day on such a motion. On the contrary, he thought the right hon. gentleman would prefer the candour of those who would say with him (lord M.) that they did not think he had been governed, in the particular case, by a sound discretion. It certainly was not wise, in the present state of Ireland, for the highest law officer of the Crown to try, for the first time, an experiment of that nature. As to the precedents which had been adduced by the right hon. gentleman, they were utterly inapplicable; for they were cases, not of informations filed by the attorney-general, but of informations moved for by the parties, and granted by the courts. His right hon. friend had, in the course of his speech, detailed matter which called for the most serious consideration. He had stated, that there were to be found in Ireland many men of most honourable character, but who were so shackled by the oaths and obligations of Orange societies, that they dared not act or decide according to the law of the land. Now, he would ask, what could be expected from a government so divided, as the Irish government was known to be; where the lord-lieutenant was of one opinion, and his secretary decidedly opposed to him; and where a lord O'Neil, the professed head of the Orange faction, held a high official situation [hear, hear!]? Why was it that a right hon. baronet (sir G. Hill), who was known to be a supporter of Orangemen and Orange principles, retained a high official appointment in Ireland? The present appointments in Ireland were by some strange misnomer, called a government; but they were in point of fact no government at all. That which was called a government in Ireland, was a power capable of creating much mischief, but incapable of doing any good. They had been told that Orange and other illegal associations existed in Ireland. Why, he asked, were not those associations put down; or, if they must be allowed to exist, why were any persons holding appointments under government allowed to belong to them? Why were the patrons and protectors of Orange lodges allowed to participate in the places and profits of a government, to whose acts they were decidedly hostile? So long as this was allowed, it would have the effect of fostering party; of keeping up dissention and disunion; and of increasing that irritation which had hitherto so long and so unhappily existed. While the government of Ireland truckled to that Orange faction—while it was allowed to stalk abroad even in the castle of Dublin—so long would that unhappy disunion continue to exist. Under such a system there could be no security against a recurrence of the various acts of misconduct which had disgraced Ireland. Though he did not approve of the course adopted by his right hon. friend, yet he could not give his assent to an amendment which would leave that conduct in doubt; but before the House separated, he hoped they would express a decided opinion upon the real merits of the government of Ireland as at present constituted.

Mr. *Goulburn* said, he entirely concurred in all that had been done by his right hon. friend, and was ready to share the responsibility which attached to the measures he had adopted. The noble lord who had just set down had ascribed all the evils which Ireland endured to the difference of opinion which existed amongst the members of the government of that country: he had argued, that because the lord-lieutenant entertained a different opinion from that which he (Mr. G.) professed upon one particular point, it was impossible that they could both concur in the same system of government in Ireland. He would take upon himself to deny that fact. During the time that he had been in Ireland, he had entirely concurred with the lord-lieutenant in every measure of the government. It was most extraordinary that the noble lord, who had always professed himself an enemy to exclusions on account of political or religious opinions, should wish to exclude from office in Ireland every body who was opposed to him in the view which he took of a particular subject: for that, in fact, was the effect of the noble lord's argument. The noble lord seemed to be at a loss to know what course to pursue upon the present occasion. He said, he would not vote for either of the motions which had been submitted to the house; and he objected to the first on account of the vagueness of the language in which it was composed. Now, that very vagueness and uncertainty of which the noble lord complained was the best possible reason for rejecting the motion. Upon such a subject there should be nothing like doubt. His right hon. friend had come to the house prepared to rebut any specific charges which might be brought against him. He agreed with the noble lord, that the amendment might be liable to some objection. It would have been more gratifying to the feelings of himself and his right hon. friend, to have met the motion, which was of a personal nature with respect to them, by a direct negative; but the members of government were frequently placed in situations in which it was necessary for them to sacrifice their own wishes, in order to attain a greater object. It was imagined that if the original motion were pressed to a division, the result would be, to afford a triumph to one of two parties, and thus to exasperate those feelings of animosity which had already existed too long in Ireland, and which it was the object of the government there to repress. The attention of the House had been directed to many points which were of little importance. The only question which the House was called upon to decide was, whether his right hon. friend had sufficient grounds for filing an ex officio information. He was not called upon to prove that the characters of the persons from whom he received his information were unimpeachable; but he would maintain that his right hon. friend had shown that the information which had been laid before him was sufficient to authorize the proceeding to which he had resorted.

Mr. *Brougham* said, that in rising to speak upon this important question, he felt oppressed by many difficulties which weighed upon both sides of the case. On the one hand, he felt sincerely anxious to avoid doing any thing which would add to that mass of party animosity by which Ireland was already but too much distracted; while on the other, he felt that if he gave a direct negative to the motion, he should desert the duty he owed to that constitution which he conscientiously believed to have been infringed upon, however innocently, by his right hon. friend the attorney-general for Ireland. It was with double pain that he had felt himself bound to make this declaration. He had listened to the able and ingenious arguments of his right hon. friend; with every inclination to find him right; and above all, he had listened to him with strong political prejudices (for he was not ashamed to avow that he entertained them) against the quarter from which the accusation was supposed to come; and after all, it was with pain that he came to the conclusion, that the constitutional principle was distinctly against the attorney-general for Ireland. A dry legal question was, God wot, a dull subject for an argument in that House at any hour; but it would be particularly irksome at that late period of the night to enter upon a minute examination of the cases which had been quoted as precedents by his learned friend, eighteen in number, which were to be found in the books, or he should rather say which were not to be found in the books, but in manuscript, some of which, more or less accurate, were preserved in the Crown-office in this country; and others, of a more apocryphal character, were deposited in the Crown-office in Dublin, and were documents proceeding from a court in a country where sheriffs and grand juries acted in the manner which the House had heard stated that night, and where the rules of evidence were such as had been described by his learned friend, with a mixture of lamentation and laughter. He would, however, for the sake of argument, admit that all the cases were established precedents, and yet he would contend that not one of them decided the question at issue. His right hon. friend seemed to be perfectly aware of that, and commenced his speech by a most ingenious attempt to make all those cases available for him. He had begun with a preliminary argument, wich mathematicians called a lemma. He said, that he could find no precedent of an attorney-general filing an ex officio information after the grand jury had thrown out a bill against a party; but that in the 18 cases which he mentioned, the court of King's-bench had granted rules for proceeding ex officio. His learned friend went on to say, that before the statute of William, which abolished the star chamber, the master of the Crown-office and the attorney general had each the power of proceeding by ex officio information, but that that statute had divested the first-named officer of that power, and given it to the court of King's-bench, leaving the attorney-general still in possession of his prerogative. The eighteen instances in which the court of King's-bench had granted criminal informations against individuals after the bills which had been preferred against them before grand juries had been thrown out, had occurred since the enactment of the statute of William, when, as his learned friend had said, the court stood in the shoes of the master of the Crown-office. Now, it would be necessary to consider, whether the manner in which the court proceeded in those cases was analogous to that in which his learned friend had proceeded in the recent instances. He denied that such was the case. The court never granted a criminal information in any of the eighteen cases, without having before it an affidavit of misconduct on the part of the grand jury; and moreover, the statute required, that the party applying for the information should enter into recognizances, in order that the party against whom the rule was sought might be secured his costs. That was the first answer that he would give to his learned friend; but there was another—only one of the cases which his learned friend had quoted could even nominally be compared to a criminal proceeding; he meant the case of the repairing of a bridge. It was well known that the grand jury of a county alone had the power to direct an assessment on the inhabitants for defraying the expense of repairing a bridge: if they refused, the court of King's-bench was compelled, *ex rei necessitate*, to grant a criminal information, in order to prevent the road being blocked up. His learned friend had said—"How can I give you instances nearer than those I adduce? They are," says he, "in as great plenty as blackberries, and are yielded term after term; but from their very nature, no record of them remains." Why, one-half, nay, nine-tenths of the constitution, as well as of the law, of this land, rested upon matter not of record. Nine-tenths of that which regarded what a public officer might or might not do, was to be found in no record, but only in the traditionary knowledge of men learned and authoritative in these matters—the text writers. No man could be brought before them old enough to show that he recollected any one case, in which an attorney-general had filed an ex officio information upon an indictment previously ignored by a grand jury. Was that no fact. Was that no case of authority? Why would he talk of antient books and records mouldering on the shelves of the Crown-office, when a fact so palpable as this was before his eyes, and not susceptible of contradiction?—Then, as to the foundation on which his learned friend had chosen to rest his defence of ex-officio informations, he (Mr. B.) entirely concurred with him in the manner in which he had cleared this subject of all unnecessary incumbrances. But as to their legality, the authority of sir E. Coke was not necessary to prove that. He (Mr. B.) must of course admit it; but he denied the propriety of using them, and most especially in such a case as this. The facts of the case put the question of its legality entirely out of court. What was the observation of Mr. Justice Blackstone on this point? One part of it, his learned friend had quoted; but the other part of the sentence he had omitted. The right hon. gentleman had repeated, "that this power was originally reserved in the great estimate of the English constitution;" but he did not add what was joined to this in the text, namely, "for offences so high and dangerous, in the punishment or prevention of which a moment's delay would be fatal, the law has given to the Crown the power of an immediate prosecution, without waiting for any previous application to any other tribunal." That meant, that, according to Blackstone, where time pressed, and where there was imminent danger to the state, government were not to wait for the meeting of the grand jury but might file an ex officio information against the parties. The great authority in question put the matter in no other light. Men would, however, view the same thing in very different lights; and, it might be, through very different mediums. It had happened that some men had viewed as a matter of merriment the throwing of a glass bottle at the head of his majesty's representative, and had regarded with no serious or anxious feeling the levelling of a large bit of wood at the box in which that distinguished personage was sitting. He had been told, that the transaction had furnished matter of amusement to almost the highest legal authority in Ireland. He had been told, that it had elicited some of the choicest specimens of that wit and humour for which that learned functionary was so distinguished. He had been assured, that in a certain circle, where festivity and wit and legal learning were accustomed to walk hand in hand together, the eminent person in question had observed, in alluding to the riot at the Dublin theatre, "that he never before heard of a rattle which had made such a noise; that he had heard, indeed, of a full quart bottle exciting much eloquence and producing some merriment; but he never knew an empty one which had caused so much talk or attracted so much attention." He (Mr. B.) had no wish to interfere with, or check the full tide of so much innocent mirth. Nay, he had heard of another joke, said to have proceeded from the same quarter; namely, that when the other indictment was traversed, about the putting his majesty's liege subjects in fear of their lives, they produced the most antient gentlewoman they could find in all Ireland to depose that she was never less alarmed than on the occasion referred to. It might, however, be natural that some little degree of mirth should have been thrown upon that which was in truth very serious; particularly in the appearances it manifested of bad feeling, and still more so in the consequences to which it might lead, were it to give rise to a successful attempt to overthrow a government, which, notwithstanding all that could be urged as to its defects, was, compared with that which some persons were so anxious to put in its place, a celestial arrangement as compared with an infernal one. Such a wish he imputed not to the supporters of this motion; but for this motion he could not vote. If he could be moved by the eloquent arguments of the hon. member, his fear would still be, that by supporting the proposition, he should be playing the game of that faction which had been, for so many years, the curse of that fair country. This would be, to postpone to an indefinite period that which he so earnestly prayed for on behalf of Ireland, as well as of England—a more equal, liberal, and beneficent rule, to succeed to the misgovernment of past times. If an ex officio information was still necessary to be filed, there surely lacked not opportunity of putting such a measure in execution. Many hon. gentlemen who would vote that night, might perhaps be influenced by the very eloquent appeal which had closed the speech of the attorney-general for Ireland; but when they saw a sheriff acting in the way described, and a grand jury receiving instructions from him, and when they looked to the turmoil and indignation which must, God knew, in any country, but more decidedly in a country like Ireland, be the consequence of such proceedings—could any one feel, whatever might be the results of the outrage at the Dublin theatre, or of following up an indictment once tried before a grand jury by an ex officio information—whatever doubts might arise in regard to these matters, could any one hesitate what judgment to form on those proceedings? The right hon. secretary for Ireland had told the House, that the government to which he was attached was not a divided government; and that the greatest possible harmony prevailed between all its members. From all that the right hon. gentleman had said, the House might really imagine that those members were always in a perfect union of opinion, and sitting side by side in amicable conference. Instead of this, however, he (Mr. B.) protested that he saw in the constitution of the government, something which much more resembled the chequered appearance of the keys of a harpsichord, alternately black and white, down the whole line; until he came indeed to the spot where the two learned law officers of the Crown in England were fixed; and there there were two blacks together, and no white; for there alone it was, that the differences of the cabinet were not represented. All the other members of the government were kept exactly opposed to each other, and the balance was nicely trimmed so as to accommodate here, a vote in favour; there, a vote against the Catholics: it was only in the instance of his two learned friends, that the alternating principle upon which this equilibrium was sustained was dropped; those keys were both black — both of them voted uniformly against the Catholics. "But, then," said the right hon. gentleman, in the words of the old apologue, "see how nicely, how harmoniously myself and the lord-lieutenant of Ireland swim down the stream: we have never had one public measure to execute on which we have differed." This was just what he (Mr. B.) complained of. It was precisely because they had had no measures to effect for the benefit of Ireland, that the right hon. gentleman did not differ with the lord-lieutenant about them. — The hon. and learned gentleman went on to remark upon the too great care which was shown, as vacancies occurred in the cabinet, of so filling them up as to maintain the precise equilibrium of opinion of which he had spoken, without regarding the claims or characters of the individuals who were placed in them; and in the little care which was taken by the government to impress upon the mind of the sovereign the importance of those measures of universal indulgence, on which the honour and security of his Crown so mainly depended. He then described the discordant materials of which the government in Ireland was composed; and the manner in which the lord-lieutenant was thwarted by a lord-chancellor, who was his co-ordinate, and by a secretary who was his subordinate. Wishing to see all dissentions at an end, he would not vote for the resolution. Disapproving, too, of the conduct of the attorney-general for Ireland in this matter, he could not bring himself to vote an entire acquittal; but, feeling his first duty to England and to Ireland to be, to prevent the triumph of that bad set of men and principles to which so much of the miseries of Ireland were to be traced, he should vote against the proposition, in the hope that the House would no longer lend itself to a system so utterly disgraceful. Consistently with the rules of the House, he could not move an amendment on the order of the day. Neither could he with propriety, after the statement of his learned friend, move an adjournment. But, if he voted for passing to the other orders of the day, it would be with the fixed determination of following up that vote by submitting a motion for inquiry into the conduct of the sheriff of Dublin.

Mr. Secretary *Canning* agreed entirely with the hon. and learned gentleman in the sentiments expressed in the concluding part of his speech, with regard to the propriety of putting an end, if possible, to the dissentions in Ireland. He also was most anxious that neither party should seem to have a triumph over the other, in the decision of the present question; and the House would, he trusted, see that the best mode of arriving at that end, would be by making this the final proceeding. The hon. and learned gentleman would have them break up the present government of Ireland, and institute another, in order to obtain perfect unanimity upon the Catholic question; but, from what part of the House, or from what class of men was he to chuse his unanimous cabinet? The time which the hon. and learned gentleman chose for saying that there ought not to be such a government, was rather ill-chosen, when perhaps, for the first time, an attempt was making to establish in Ireland a system of impartial justice. The best system for Ireland was, he was convinced, that which the new government had introduced; and it was from a wish to see that system continued, that he was anxious to prevent any blow from being struck at so efficient a member of it. Consistently with this view, he was willing to adopt the mitigated mode of getting rid of the motion suggested by the amendment. It were much to be wished, he would allow, that the great question alluded to had been settled at the time of the union; but that was found to be impracticable, from the difference of opinion that prevailed. Not many years after the union, Mr. Pitt having retired from office, a new government came into power, and there again the same difference of opinion was manifested. Another government succeeded, and a like division took place. And he believed that even if the gentlemen opposite were to come into power to-morrow, it would be found difficult, notwithstanding their concurrence upon all other topics to obtain perfect unanimity upon this one question. If any change could be made, that would insure its decision, he would willingly resign his office, and consider any change attended by such a result as an alteration for the better. At no time had so great a disposition been manifested to give to Ireland the benefits of a free and equal and liberal government as at present; and he therefore thought that the invectives of the hon. and learned gentleman were singularly ill-timed, coming as they did at the very moment when such a system was in the course of administration. Whatever might be said of lord Wellesley's government, that its great object was, to confer happiness on Ireland could not be matter of doubt; and it was because he was anxious for the continuance of that government, and should be sorry that by any resolution of the House a blow should be struck at so essential a member of it as the right hon. and learned gentleman, that he should concur in an amendment which would put an end to the proposition of the hon. member for Armagh.

Mr. *Daly* would vote for proceeding to the order of the day, on an understanding that the learned gentleman would bring forward the motion to which he had alluded.

Mr. *Brougham* expressed his intention of redeeming the pledge he had given, if no other member took up the subject.

The *Attorney-General* said, that the learned gentleman found fault with the way in which the attorney-general for Ireland had exercised the power of filing an ex-officio information, although he admitted the power to file such information. As to the legality of the proceeding, the point was so plain, that even the learned gentleman could not have a doubt upon it. He said, that the attorney-general had not the power to file an information, after a bill of indictment had been ignored by the grand jury. He (the attorney-general) was of a different opinion. He considered the proceeding of his right hon. friend as perfectly legal. The learned gentleman had said, that the cases cited were not applicable to the point in issue. He would not fatigue the House by going into those cases; but he would insist on it, that they all fully established this principle, that a criminal information might be filed after a bill of indictment had been ignored.

Mr. *Scarlett* agreed, that the proceeding was not illegal. But the legality of it was one thing, and the constitutionality another. It by no means followed, that what was barely legal should be always adopted. The attorney-general on filing an information, was bound to stand by it; and, though the result might be unfavourable to his cause, it would still be better to abide by the decision of the jury. He was satisfied that the conduct of the attorney-general for Ireland proceeded from the best of motives; but he certainly had forgot what was due to the character of a grand jury.

After a short reply, the motion was, with the leave of the House, withdrawn; and sir F. Burdett gave notice, that he would, on the 22nd, bring before the House the conduct of the sheriff of Dublin.

HOUSE OF COMMONS.

Wednesday, April 16th.

EDINBURGH FREE THINKERS' ZETETIC SOCIETY.] Mr. Hume presented the following Petition:

"The Petition of the undersigned individuals, who were members of the Edinburgh Free Thinkers' Zetetic Society, humbly sheweth,

"That in the spring of 1820, your petitioners, with some others, began to meet every Sunday as a society, for the purpose of discussing literary, philosophical, and theological subjects, without intending to interfere in the smallest degree with the public, or wishing the public to inter- with them:

"That the principal object which your petitioners had in view by their meeting as a society was, by their unanimous and expressed opinion, to encourage virtue and suppress vice among their members, and to keep Free-thinkers who did not go to church, from spending Sundays in drinking and dissipation, to which, on that day, they might be seduced by idle company:

"That your petitioners are of opinion, that virtue cannot be properly encouraged nor vice suppressed, but by men joining in society, and expressing their united opinion as a body; and your petitioners considered they had some reason to meet for that purpose, as Free-thinkers have often been reproached for vice and immorality by those who have used every exertion to make them vicious and immoral, by exciting public prejudice against them, and, if possible, to make them outcasts from every society:

"That, at the Whitsunday term of 1820, your petitioners took a hall, in which they afterwards held their meetings, and began to collect a library for their common use and instruction; and such of their members as were qualified, successively composed, and read each Sunday, an essay or discourse upon some literary, philosophical, or theological subject, which was afterwards strictly criticised and debated upon by the members:

"That the hall which your petitioners

took for their accommodation having been formerly occupied as a place of worship, strangers occasionally called, but were generally informed that the meeting was held for discussion, and not for any kind of religious worship:

"That in many instances these strangers expressed a wish to remain, and as your petitioners deemed it illegal to force them away, they were allowed to sit and hear, but not join in the debates; at length some of them began to insinuate that your petitioners acted unfairly in preventing strangers from speaking, who perhaps might be able to give some information upon subjects which, they thought your petitioners did not seem to understand. It was then agreed upon, that strangers should be allowed to join in the debates as long as they kept their temper, and behaved with propriety:

"That the persons who generally attended the meeting were well informed men, supposed to be capable of judging of the truth and propriety of the subjects discussed. Boys and children were always excluded, except they were brought by some member or person of years who constantly attended:

"That your petitioners were forced by the subjects of some of the discourses which were read, and the warm arguments of some zealous Christians, to enter into a close examination of the fundamental principles and doctrines of Christianity; and because your petitioners were not convinced by the arguments of their opponents, but defended their own opinions with freedom and earnestness, their antagonists resorted to the mean expedient of misrepresenting to the civil authorities the object and arguments of your petitioners, and thus procured their dispersion by force:

"That on the 17th day of November last, while your petitioners were engaged, as usual, quietly debating, the sheriff of Edinburgh, with the superintendent of police, and a number of officers and police men, suddenly entered the hall. The sheriff declared that he was informed that there were illegal discussions carried on in the hall. The unexpected entrance of the civil authorities put a stop to any further proceeding in the debates; they then proceeded to take down the names of every person present, and to search them one by one, for books and papers; afterwards they were all dismissed, except the president of the day, and two other members, who were detained as prisoners:

"That after this violent dispersion of the meeting, the authorities proceeded to examine the library which your petitioners had collected, and they seized and took away a number of books, among which were the following:—Watson's Apologies for the Bible, Leslie's Short Method with Deists, Ogden's Deist Unmasked, St. Pierre's Studies of Nature, Mirabaud's System of Nature, the Works of Thomas Paine, Toulman's Eternity of the Universe, The Black Book, Carlile's Republican, Queen Mab, Voltaire's Philosophical Dictionary, Hume's Essays, the Liberal, Odelebene's Campaign in Saxony, Owen's Essays on the Formation of Character, besides some small pamphlets, all of which are still retained, although most of them are to be found in every library, and are openly sold in every bookseller's shop:

"That the persons made prisoners were detained from Sunday afternoon till Wednesday night, about eight o'clock, when they were allowed to find bail, one in 60*l.* and the other two in 100*l.* each, for their appearance at any time when called upon within the space of six months:

"That the three individuals gave the bail required, and though men of irreproachable moral character, and unconscious of having committed any crime, except that of expressing their opinions freely in public concerning the doctrines of religion, they are still in a state of painful suspense, uncertain but they may be ruined by prosecution:

"That your petitioners humbly represent, that, if the magistrates are authorized by law to seize all such books as have been taken from your petitioners, no library, either public or private can be considered safe:

"That your petitioners also represent, that if magistrates are authorised by law to disperse all meetings held for free discussion, men have no way of detecting error, and arriving at the truth of any subject; and the boasted freedom we are said to enjoy is only an empty name:

"That your petitioners are convinced there is no necessity for one party attempting to crush or overthrow another, that by equal toleration they might all exist together more peaceably than the Christians, Hindoos, and Mahometans live together in India, or Protestants and Catholics in Europe:

"That your petitioners have little wish

to make converts to their opinions, and no wish whatever to attack people of a different way of thinking; their only desire is, to obtain the liberty of free discussion on all subjects:

"May it therefore please your honourable House to take your petitioners' case into your most serious consideration, and to make a law allowing free discussion on all subjects, that men may be convinced by reasoning, and not be forced by law, as at present, to be hypocrites; and your petitioners, as in duty bound, will ever pray."

Mr. *Hume* proceeded to say, that when he received the petition, he wrote to the individual who sent it to him, stating it as his opinion, that the petitioners, if they felt injured, would have done better to apply to a court of law for redress. The answer he received was, that the petitioners did not complain of the conduct of the sheriff, nor of those who acted under his control, because the law of Scotland authorised the proceeding. He (Mr. H.) then referred to the English statutes.—The only act he found was the 49th of the late king, which authorised magistrates to interfere with respect to societies where money was received at the door as the price of admission. He was convinced that no police magistrate or other person in authority in England would act towards any such society as the sheriff at Edinburgh acted towards the society of Free-thinkers. But by the law of Scotland he found, not only that such society might be dispersed—but that the persons forming it might be imprisoned, and actually hanged. An act of Charles 2nd, stated, that whereas there was no law against blasphemy in Scotland, if any person or persons who were not distracted in their wits, should rail at or curse God, they should suffer the punishment of death. He should add, that the individual who sent the petition to him, informed him that societies had been held in Scotland since the days of Mr. Hume; that never having intruded on public attention, they were never attacked by the public magistrate; that they had no other object but open and fair discussion, as being best calculated to promote knowledge, good morals, and virtue.

The *Lord Advocate* said, that if the hon. member should propose an alteration of the law, he would be able to meet him on that ground. There was another statute besides that to which the hon. member alluded. An act of William and Mary made the person guilty of blasphemous expressions, the denial of the divinity of Christ, &c. for the first offence subject to imprisonment, for the second, subject to fine and imprisonment, and for the third, subject to suffer capital punishment. The sheriff had acted by his advice. He had received information, that meetings of persons were held every Sunday in Edinburgh, at which meetings not only the Christian, but every religion was turned into ridicule, and the existence of God himself denied and laughed at. It was a fact, that to this blasphemous school children were brought by the members. When he first heard of the society he could not bring himself to believe, that in Edinburgh men could be found so full of wickedness and folly; but, on the sheriff making further inquiries, facts came out far exceeding what was first reported to him. The society had existed since 1820. There was one curious rule enforced: an essay on the favourite topic was submitted to consideration, but no person was allowed to speak against it for more than ten minutes. The society was attended by the lowest description of persons. None were taken into custody on the occasion alluded to, but the writer of the essay and two other individuals. These persons afterwards appeared sensible of their errors, and presented a petition, regretting the course they had followed. In consequence of the interference of the sheriff, the society did not meet again; and a similar society in Glasgow declined to meet also. He did not, therefore, feel any disposition to proceed further; nor did he now wish to do so, unless the individuals themselves should seek for a trial. In that case, he should be prepared to bring forward satisfactory evidence of their guilt.

Mr. *Monck* said, he wished to know whether there were Jews in Edinburgh? Now, Jews were decidedly more hostile to Christianity than those philosophers who had fallen under the displeasure of the learned lord. The philosophers, it seemed, fairly discussed important questions. They did not form a party; for no two of them agreed in opinion; whereas, the Jews to a man ridiculed the Christian religion. The law of Scotland appeared, in this respect, more severe than the Inquisition.

Mr. *Hume* considered the law a most horrid one. He was convinced that the Christian religion could only stand upon the ground of discussion and free inquiry.

The proceeding altogether was one which was not to be defended.

Ordered to lie on the table.

FOREIGN ENLISTMENT BILL.] Lord *Althorp* rose to make his promised motion, for the repeal of the Foreign Enlistment bill. He observed, that though the present question was one of considerable importance, yet the arguments for and against it, lay in so small a compass that, were he merely to confine himself to a statement of their nature, he should occupy a very short portion of their time indeed. He was afraid, however, that if he confined himself to such a statement, he should be liable to much misconstruction with one class of persons who were anxious that this country should take part in the present war, because he should declare himself a decided advocate for peace; and with another class, who, if he were silent with regard to the cause of Spain, might think him indifferent to its success, and regardless of the violent and unjustifiable attack which was making, through it, upon the independence of every nation. He therefore solicited the pardon of the House, if, in speaking upon this question, he should appear to touch upon subjects that were not altogether connected with it. In doing so, he should first apply himself to the question of peace and war. And here he must say, that no man could think war at the present moment, and in the present state of the country, a greater calamity than he did. Neither was he of opinion, that if war were now declared, it would be of service to Spain; since it might tend to produce greater union among its enemies. His decided feeling therefore was, that war ought not to be commenced: and, in making this motion, unless he should be able to prove, that the repeal of the act in question might be resolved upon, in strict conformity to the principles of neutrality, he would allow that he had made out no sufficient case. The question assumed a different appearance when it was said, that a declaration should have been made at an earlier period of the transactions—when we went to the congress of Verona—that if the allied powers should be guilty of the aggression against Spain which they had since entered upon, we should be called upon to declare war. He fully agreed with the right hon. secretary of state, that no menaces should be uttered without the means of carrying them fully into effect. But, if Spain could have been preserved from invasion, as probably she might have been, by such a declaration, it would have been worth while to have done so, at the expense of the hazard of a war. This was a subject, however, on which doubts could reasonably be entertained; but he had no doubt whatever in saying, that his majesty's ministers had not, in the late negotiations, sufficiently consulted the honour and character of the country. Of course, ministers knew better than himself the characters of the sovereigns composing the holy alliance: but he should have thought that even they would not have been so dead to the feelings of honour, or cared so little for reputation, as not to have listened to the remonstrances and representations of the British cabinet, had it attempted to make any. It appeared, however, that no such attempt had been made. The duke of Wellington had not uttered a syllable at the congress to impress upon the sovereigns the infamy that would for ever attach to their names, if they persevered in the aggression they then contemplated. But, if the sovereigns were wholly indifferent to such considerations—if the statement of them would be of no avail—still the honour of this country, and the noblest principles of justice, required that they should have been urged. What would be said of a man who attempted to deter another from the commission of a flagrant crime, by merely representing to him, that it was decidedly against his interest to be guilty of it? But such had been the conduct of the British government. It had only endeavoured to prove that it would be injurious to France to make war upon Spain: principle, justice, and morality, had been left quite out of the question.—Without further preface, he would observe, that the duty of a neutral nation was, to act impartially between the belligerent parties. If, therefore, Great Britain said that neither party should enlist troops in her territory, she was strictly neutral; and if she said, on the other hand, that both parties might enlist troops in her territory, she was strictly neutral also. The right hon. secretary (Mr. Canning) seemed to intimate his dissent from this proposition. He (lord A.) did not pretend to be well-read in the jurists; but he knew that Grotius, in his chapter on the duties of neutrals, had distinctly laid it down as he had stated it; and he had illustrated his position, as he generally did by an appeal to antient history, observing that the Lacedemonians complained to the Athenians, that the Corinthians were allowed to recruit their armies in their territory: the Lacedemonians, therefore, claimed to be allowed to do the same; and this being granted, it was held that the Athenians had observed a strict neutrality. If France declared war because Great Britain pursued the same line of conduct as the Athenians, such a war could have no just and sufficient ground; and he hoped that this country was not yet quite so degraded as not to be able to defend herself against such an aggression. It was to be remarked, that until 1819, when this foreign enlistment bill was passed (excepting as far as related to the statutes of George 2nd), it had been considered that England might be strictly neutral without such a law; and those who now supported it must contend that from the Norman conquest downwards, she had, in fact, maintained no real neutrality between contending parties. If, then, the abrogation of this law was no infringement of neutrality, was there any domestic inconvenience which it remedied, and the revival of which might be apprehended from its repeal? He remembered when the act was passed, it was asked, whether troops enlisted to assist foreign powers should be allowed to be trained, drilled, and paraded in the streets? This evil was, however, sufficiently provided against by one of the six acts, imposing a severe penalty upon training without the king's license. Having shown, then, that there was no solid objection to the removal of this restriction, he thought he had gone a good way to prove that it ought to be repealed. The definition of freedom was this—that a man should have a right to do every thing not inconvenient or injurious to the rest of the community. If, therefore, he had proved that this restriction was needless on this account, he had proved also that, according to the principles of our free constitution, it ought to be removed. It was besides very desirable, that the government should not have a nominal power of prohibiting those acts affecting foreign states, which it was not possible to prevent. Of the inconvenience of such powers we had an instance in the law of censorship, which made the government of the countries where it existed responsible for whatever appeared in the public papers. To prevent future bickerings, if for nothing else, we should repeal the bill. It was necessary to state, that before the bill passed in 1819, there had been two acts nominally in force, of the 9th and 29th George 2nd, which made it felony to serve in the military force of any foreign state; but as there were no means of prevention, the statutes were a dead letter. In 1819, these statutes were repealed, and the provisions re-enacted with a milder penalty, making the offence a misdemeanor instead of felony, and superadding many measures of prevention. His purpose was, not to re-enact those statutes, and he should therefore move, "That leave be given to bring in a bill to repeal all the clauses of an act, passed in the 59th Geo. 3, c. 69, intituled, 'an act to prevent the enlisting or engagement of his majesty's subjects to serve in foreign service, and the fitting out or equipping, in his majesty's dominions, vessels for warlike purposes, without his majesty's licence,' except the first clause."

Lord *Folkestone* rose to second the motion. He said he was anxious to take the very first opportunity of expressing his feelings regarding the speech of the right hon. secretary (Mr. Canning), a few nights ago, and the papers which he had then laid upon the table. He never rose to speak, without being sensible that he was not a sufficient master of language, adequately to convey his sentiments; but upon no occasion had he felt this deficiency so strongly as at the present moment: indeed, he knew no terms that could express the disgust, shame, and indignation he had experienced on the perusal of the documents, at the utter degradation they reflected upon this country. If he differed from his noble friend on the question of war, yet rose to second the motion he had submitted, he hoped he should not be thought guilty of any want of courtesy. It arose from his great anxiety to embrace the earliest occasion of adverting to the speech of the right hon. gentleman on a preceding night. To some parts of that speech he gave his cordial assent; and—since it was clear that we could not now go to war—especially to that part of it where he enforced the fitness of maintaining a strict neutrality. He too, hoped that it would be strict and impartial; that it would apply to both the belligerents; though he much feared that there was but too obvious a leaning to the stronger side. For instance, the right hon. gentleman had stated that Great Britain was bound to Portugal by an offensive, but not by a defensive alliance; and that if she rashly embarked in a contest, we were not bound to support her. Why had this declaration been made? It was called for by no necessity; unless, indeed, the right hon. gentleman thought it necessary to give France a hint, that if she provoked the animosity of Portugal, this country was not bound to assist her. The same leaning obviously pervaded the whole of the negotiations. While we pretended to be neutral we were in fact biassed by one party, and aiding and abetting the foulest aggression that history would ever have to record. If one portion of the documents more than another disgraced Great Britain, it was that which the right hon. gent. had thought fit to read as his justification—the answer to the duke of Wellington, when it was first intimated that Spain was to be invaded. Why had this been the first intimation, and why had not ministers been better informed? We knew that the French had always kept what was called an Army of Observation on the Pyrenean frontiers. Why were ministers so misinformed? Why were thousands a year spent upon an ambassador in Paris, if we were to know nothing, nor to tell nothing. However the duke of Wellington was the first to open the eyes of the British ministry on the projected invasion of Spain, and the answer of the secretary of state was merely "If you invade Spain, we will have nothing to do with it." Good God! if we saw a man about to murder an unoffending fellow-creature in cold blood, did it free us from crime, to say "we will have nothing to do with it?" The cases were precisely paralleled; yet we had made no remonstrance —no appeal to justice, honour, or national virtue. We stood tamely by, and saw the most detestable plot concocted against life and freedom, without a single word to deter the guilty, or to warn the innocent. The right hon. gentleman had promised a plain, unvarnished statement, but he had, nevertheless, taken care to make out a case as favourable as possible; and the very quotation on which he had relied proved that ministers had degraded their country in the estimation of mankind, and sullied its character to the remotest posterity. The other extract, from the last document in the volume, was of the same kind. It was the fluent composition of the right hon. secretary, and it declared in substance, that the king's ministers confided in the assurances of France, that she made war upon and occupied Spain, for no purpose of ambition or aggrandizement. The right hon. gentleman had avowed that he had been made the dupe of French diplomatists; but, was there ever dupery so egregious as that which had been practised upon him in this instance? True, the documents might not admit that the purpose was aggrandizement; but what did M. Chateaubriand say in his speech in the French senate? Had he not openly asserted, that the House of Bourbon would pursue the noble great policy of Louis 14th, and exercise such a control over the government of Spain as would give France a commanding influence in Europe? What said the duke of Fitzjames? "The English minister," said he, "objects to our aggrandizement, and well he may; but I as a Frenchman, heartily applaud it as calculated to raise the honour and greatness of France." Surely after this declaration, the right hon. gentleman must not only have been duped, but have been willing to be duped. He had said also, that he presumed the French did not mean to compel the king of Spain to do any thing derogatory to Spain. Did not the papers on the table flatly contradict him? Did he not know that they intended to model the constitution of Spain exactly according to their own views and interests? The right hon. gentleman knew that this was the case; for his own despatches admitted it. They admitted that the French armies had crossed the Pyrenees to destroy the constitution of Spain and Portugal. Passages without end might be quoted from the papers, which made an Englishman's blood boil. Twenty times in reading them had he dropped them, to vent some expression of abhorrence and indignation. It was lamentable to read the despatch of the Spanish minister, in which he gave the British ministry credit for feelings which it was clear they did not possess. The expression of those feelings in her favour was all that had been sought for by Spain; and yet even that had been denied with the most cold-blooded apathy. Every mode of stating their confidence in, and admiration of the Bourbons, the British ministry had at command. They were ready to flatter, to fawn upon, to crouch, to cringe, to bow down before, the exalted house of Bourbon: but for liberty, for that which Englishmen, in former times, had gloried to bleed for, they had not a single word of encouragement or of approbation to bestow. The Spaniards asked only for an admission of the abstract justice of the principle; yet, so help him God, that had been refused! Was it not enough to make an Englishman ashamed of his country—of that country, which, till now, had ever been ready to stretch forth a helping hand to those who struggled against despotism and oppression? Was a man who, at a moment like this, could display such odious indifference, fit to be the minister of a nation whose universal sentiment he refused to utter? The duke of Wellington had been sent to Verona merely to say—"Gentlemen, we have told you, every thing that has passed between us and the court of Madrid. We have been told nothing of the nature of your communications with Spain." Was it not shameful that, calling ourselves an independent nation, we had condescended to disclose all the particulars of our negotiations; while we were kept in ignorance of all that had been passing between France and Spain? Why had we not asked what was going on? For this reason—we were afraid of doing it. England was afraid? No: England knew no fear; but her dastardly, crouching, truckling cabinet had not dared to call for the state of the negotiations between France and Spain. What he wanted to know was, why we were not at war at this moment? He was not for bullying, or threatening what we could not perform, any more than the right hon. gentleman. Time had been when lord Chatham had said, "I should be glad to see the power in Europe that dares to fire a cannon without the concurrence of England." That time was gone. Enormous sums had been spent by us to free Europe from slavery. We called ourselves the conquerors of France, the saviours of the world, the champions of liberty. The prime minister bore on his breast the ensign of the garter, conferred upon him by a special law of a special chapter, as a reward for raising England to a pinnacle of unexampled greatness and power. Yet, eight years after, during the whole of which time, the same prime minister directed the councils of the country, and still bore on his breast the highest gift the Crown could bestow, this country was seen reduced to so pitiable a condition, that it had not dared even to express an opinion against a most flagrant act of injustice and tyranny. Fourteen years only had passed since we were fighting and conquering that very power, before which we were now crouching with the most abject humility.—Now, England was afraid to lift up her voice, much less her arm, that arm, before which tyrants had once trembled—in favour of suffering Spain. She was afraid to contend for what were called by Marlborough the outworks of Britain, for which king William had fought, and the independence of which all the great men of the last century declared it was most essential to our freedom to preserve. It was the enormous debt that weighed down the country, and compelled us to submit to the bidding of those whom we had not only sheltered but restored. Why were we not at that moment at war with France, on behalf of the liberties of the world. Let the right hon. gentleman look at the map of the world; let him look at the bearings of Spain upon the ports of Ireland; let him look at her connexion with the West Indies, and he would then see how necessary it was, to keep Spain out of the grasping clutches of France.

He insisted, that if Great Britain did not go to war on behalf of Spain, she must abandon for ever the rank she occupied among nations, and resign the glories for which she had so successfully fought and bled. He contended, that if the festival not long since given in the city, to evince the sympathy of this country in the cause of Spain, were not followed up, that celebration could be considered only as an insult to the people of Spain. What good could that sort of sympathy effect for Spain? How would it assist her cause? In what way would mere words avail? "If a brother or sister be naked and destitute of daily food," said an inspired author, "and one of you say unto them 'Depart in peace, be ye warmed and filled;' notwithstanding ye give them not those things which are needful to the body, what doth it profit?" If empty words would answer the purpose, no man had a more plentiful supply of them than the right hon. gentleman. He had been most egregiously duped; and, as if it were in revenge, he had employed himself, from the very opening of the session, in endeavouring to dupe the house. He certainly had never stated that there was a probability of the country going to war; but he had kept back all information; he had craved abstinence from inquiry. [Mr. Canning dissented.] Well, the right hon. gentleman had expressly returned thanks to the House for its abstinence from inquiry. He had shaped his course in such a way, that the House had been kept under a delusion that there was a probability of England going to war for the defence of Spain. Under that delusion it was, that the house had consented to vote estimates which they would not have voted had they known that no war was to have taken place. And why had the House been kept ignorant of that fact? Why had not the truth at once been declared? The House might just as well have known the fact in the beginning; for it appeared, by the papers, that, from the first, the ministers of this country were determined not to go to war. He asked again, and again, why had they not declared their intentions at an earlier period? The House might then perhaps have lowered the estimates for the army, which had been kept at a height unprecedented in any former period of peace—the excuse over and over again urged by the right hon. gentleman's predecessor in office, the late lord Londonderry, being, that the other powers of Europe were keeping up their establishments, and that it behoved us to keep ourselves in a situation to take part, if necessary, in the politics of Europe. Where was our ability to take part in the political arrangements of Europe, now that our interference was wanted? Why, we were not ready to come forward at all. As far as his single voice could go, he once more warned the House of the degradation into which the country was about to sink. He believed that throughout the empire, the people, in their hearts, detested, abhorred, despised the base policy by which their hands were tied up from interfering on behalf of the rising liberties of Spain. An hon. and learned friend of his (Mr. Brougham) had, a few nights ago, in his very brilliant speech, given the house some foretaste of the blessings which England was likely to enjoy, under the strict neutrality which was about to be visited upon her. He trusted that the gentlemen connected with the commercial interests some of whom had signalized their zeal for the Spanish cause at the London Tavern, though they had objected to shew their sympathy in any other way—would awake to a sense of their own interest, and feel the necessity of shewing some sympathy with the people of England, though they had shewn none for the people of Spain. If the government refused to take up arms in behalf of Spain on the present occasion, he should be glad to know what degree of insult or injury would induce them to depart from their passive and dishonourable acquiescence in the dictates of France. It was our debt, our accursed debt, which weighed us down, and had reduced us to our present state of degradation; it was the debt which had prevented the government from embarking in this contest, and, until that debt were got rid of, England would never resume her station among the nations of Europe.

Mr. *W. Lamb* said, that the noble lord who had just sat down, had spoken with much eagerness and vehemence, but though he had delivered his sentiments with considerable energy, he could not felicitate him upon the consistency of his opinions. He had now spoken as strongly in favour of a war against the house of Bourbon, as he had formerly spoken in favour of a war in their behalf. He remembered the time when the noble lord far outstripped the minister of the day in the zeal with which he maintained the necessity of supporting the house of Bourbon. If there was a man in the country above all others responsible for the public debt, and bound to discharge it, it was the noble lord himself, who, above all others, had actively promoted the measures, by which that debt had been incurred. It was true, that the noble lord had afterwards differed from his majesty's ministers, but in voting originally for hostilities he had made himself responsible for all the consequences of those hostilities.—It was not his intention to go into the general question of our foreign relations: for he had not yet had time to consider the papers on the table, with all the attention which was due to them. With respect to the proposition before the House, however, he begged to say, that neither upon any general or particular grounds was he prepared to vote for the repeal of thle Foreign Enlistment bill. He was aware that, in former times, it had been the fashion for gentlemen of chivalrous character to make campaigns in the service of foreign princes, and that bodies of men had been raised in this country to assist the Palatine, or the Protestants of France and Holland; but the state of European politics was now wholly changed. He objected to the principle of the proposed measure, because in his opinion the prerogative of deciding for war or peace was vested in the Crown by the constitution of the country, and he wished to see that prerogative exclusively exercised by the Crown. He deprecated any attempt to take the exercise of that prerogative out of the hands of the Crown, or of his majesty's ministers, through whom the Crown acted and to whom, from their superior knowledge, it was most safely entrusted. It was necessary that the government should possess the power of controlling any strong demonstration of political feeling, in regard to our foreign relations, which might otherwise commit the country in those hostilities, which it was our best policy to avoid. Could it be supposed, that if any other country were to take an active part in behalf of a power with which we might be at war, that we should bear it tamely, and not call upon that country to choose between peace and war? The repeal of the Foreign Enlistment bill would be considered as an act of decisive hostility, and, if we affected at the same time to maintain neutrality, would be unworthy of the fair character and honest dealing of the country. He was ready to admit that the aggression of France on Spain was an act of injustice, but he denied that we were called upon to repress every act of injustice committed by a foreign power, and that we were bound on every such occasion to embark in the contest. The noble lord had dwelt much on the burthen of the national debt, the vast increase of which was attributed to the unreformed state of parliament. Now he was so far from admitting that the increase of the debt was to be ascribed to that cause, that he believed the debt had, in a great degree, grown up to its present amount, because the parliament had shown too much sympathy with the people; for it could not be denied, that the war which had produced the debt, was originally a popular war.—Before he sat down he could not help adverting to some very eloquent, severe, and bitter invectives which he had lately heard in that House. It ought not to be forgotten, that eloquent invective had precipitated, if it had not produced the two last wars. The American war had been mainly produced by the eloquent invective of a great lawyer, Mr. Wedderburne, whose speech before the privy council produced such an effect, that the very council were seen "casting up their caps," in exultation. The impression which that invective made on the individual against whom it was directed, Dr. Franklin, was indelible; and it was well known that when the doctor signed the treaty of peace at Paris, he appeared in the very dress which he wore when he was attacked by Mr. Wedderburne in that celebrated invective. Eloquence was certainly a great power; but, like other great powers, it might be abused. He trusted the House would not be led away by declamation and invective, but would look to the real interests of the country with firmness, steadiness, and impartiality. If it should appear to be the policy of this country to embark in war, he doubted not that we had the spirit to undertake, and the means to carry it on. He did not think it the interest of this country to engage in the war, because if France failed, neutrality must be admitted to be our best policy, and if she succeeded, the matter would be over, and France would be exposed to all the obloquy and all the difficulties which success would entail upon her. He said "all the difficulties," for he was so far from thinking that the success of France in this contest would contribute to her aggrandisement, that he was satisfied it would cripple her resources, as well as expose her to all the obloquy, which her unjust aggression must call forth.

Lord *Folkestone* said, in answer to the assertion of the hon. member, that he, more than any other man, was responsible for the debt which had been incurred in the last war, that he was utterly at a loss to understand what he alluded to.

Mr. *W. Lamb* said, he alluded to a speech of the noble lord in the year 1803, when the army estimates were brought forward, in which he had made the restoration of the house of Bourbon a *sine qua non*.

Lord *Folkestone* said, he had certainly advised the government to take up the interest of the house of Bourbon in opposition to Bonaparte; but he did not see how that advice made him responsible, more than any other man, for all the debt incurred in the last war.

Dr. *Lushington* said, that the charge of inconsistency against his noble friend ill became the hon. member by whom it had been made; for if there was one member of that House to whom the charge of an abandonment of former principles could attach more deservedly than another, it was the hon. member for Hertfordshire. He did not accuse him of having abandoned his former principles from any undue motives; but the hon. member, of all other men in that house, undoubtedly furnished a signal instance of a man of first rate talents, and known integrity, seceding from the line of political conduct which he had formerly selected, and becoming the strenuous advocate of those principles, of which he had once been the bitter opponent. But, if the charge of inconsistency came with an ill grace from the hon. member, there were other parts of his speech which deserved more pointed reprobation. What must the House think, when they heard the hon. member assert, that a demonstration of public opinion on the state of foreign affairs called for the control of the government? When they heard this slavish doctrine openly preached in that House, that when all the atrocities of the French had been laid open to the public; when their bad faith, duplicity, and whole system of baseness had been made known, Englishmen were not to meet and declare their feelings of union and concert in the sentiments of the oppressed—their indignation and abhorrence of the conduct of the oppressors?—Good God! to what a state was England reduced. Was it come to this, that we must tremble at the frown of the Bourbons? Had M. Chateaubriand reduced us to this, that we must not dare to give vent to those feelings which used at all times to be natural to us, as men and as Englishmen? And even this was not all—but we must restrain and subdue our eloquence, lest it should provoke a new war? Yes, the parliament of England must be careful to keep silence, lest it should give offence to the foreign courts. He hoped, however, that the fear of offending the despots of Europe would not be able to suppress the tone, either of the house or of the country.—But to come to the immediate subject of discussion. The question for them to determine was, whether or not the Foreign Enlistment bill should be now repealed? His noble friend had stated, and he entirely concurred with him, that the act might be repealed without any breach of neutrality. He would go farther: if he were asked, whether the repeal of the bill would not be received in France as a direct demonstration of our abhorrence of the invasion of Spain, he was ready to admit that it would be so considered. If he were further asked whether we should not be bound to attend to any remonstrance from the French government, in consequence of that repeal counteracting some particular object of the national policy of France, his answer would be, that their policy could give them no right to interfere with the proceedings of the British parliament. If the right hon. gentleman opposite were to act in such a case with a becoming spirit, he would answer to such a remonstrance, "You have no right to utter a word; I will not allow you to express an opinion on the conduct of parliament? You must prove to me that we have committed some violation of the law of nations; that we have made some breach in the neutrality we bound ourselves to observe." After that, he would like to know on what authority, in all the writings on the law of nations, we were at one time allowed to furnish a country, with which we were not at war, with ships and men, and arms, and warlike stores, and were not at another, to allow them to purchase the service of our countrymen? If the right hon. gentlemen could not explain this, then the whole of their reasons for opposing the motion of his noble friend would fall to the ground. But, the bill in question had done more than this. It had not only prohibited every native of this country from going into the service of foreign states, but it had rendered every man, even though he had been twenty years in a foreign country, liable to the penalty of a misdemeanor when he returned to his own. Now, what was this but prohibiting other nations to do that, of which we had taken advantage ourselves; for it had been the practice of this country to enlist the subjects of other countries. Had we not in our navy natives of almost all the countries in the world? Nay, had we not by a special enactment ratified this practice? Now, if it was so contrary to the law of nations, why was it unrepealed? Why, when we had a law forbidding other nations from profiting by the services of the natives of this country, had we an unrepealed statute, giving to those of other nations, who might have been two years in our service, the benefits and privileges of British subjects? He wished to know when we were allowed by statute to send ships and warlike stores to foreign nations, why we should not be permitted to send men also. To shew that this was not only the law but the practice, it was not necessary to go further back than the last war with France. During that war in 1814, besides furnishing ships, arms, and money, we had allowed them to enlist men in this country. But we were departing from that policy now; and abandoning the rights and the liberties of a nation who was not at war with us. We had at one time admitted the principle contended for by the noble mover; and we now were departing from that principle. But the hon. member for Hertfordshire had stated that the permitting of our people to enlist into the armies of foreign states would wrest from the Crown the very flower of its prerogative. But, there was no reason why that which had not been wrested by the same means in 1814, should be so wrested now in the cause of Spain.—As to the measure of the repeal, he knew of no other effect which could be reasonably expected from it than relief and advantage to the country. But, further than that, of all the measures that had been effected by parliament, none had been more disagreeable to the people at large than the passing of this bill. It was felt to be most objectionable as a matter of interest. It deprived the country of the best market for commodities which most wanted a sale. It was not a little singular, that the bill had passed, on the remonstrance of the Spanish government, with a view to prevent any assistance from being given to her revolting colonies. Let the House mark what had fallen out in the course of events. That very measure had proved the only obstacle to prevent the Spaniards from receiving that aid for which they so earnestly prayed.—He felt little disposed to enter into the consideration of the papers on the table. In abstaining, however, from any comments, the House must permit him to say, that, so far as his humble judgment enabled him to form an opinion, the safest line for the country to adopt was, the line of interference. No man could contemplate the aggressions of France in this instance, without feelings of indignation. The right hon. gentlemen had well observed that they were bound to consider the case with strict regard to their own honour and policy. Should the country, however, continue to act as ministers had begun, there was danger of establishing against their own interest a precedent of a most dangerous tendency. It was upon principle alone that he would urge the necessity of going to war. It would not be enough that they were able to say, "It is a good cause for which we fight;" they must be able to add, "not only is it a good cause, but the grounds we have are so strong, the expediency is so urgent, the necessity so great, that we cannot avoid going to war, without abandoning our national honour and interests." As to the result of war, it was not in human foresight to determine it. Whether a triumph would prove ultimately beneficial to France, or the contrary, it was impossible to foresee. He saw, however, no ground for believing that this country could ultimately escape being engaged in the war. So that, as it appeared to him, it would be undertaken most happily now, while the public feeling was with the Spaniards, and the hopes which were entertained for their deliverance were unbroken by defeat. As to the situation of Portugal, he agreed that a defensive treaty could not bind this country to support Portugal in an offensive war against France. But, in real transactions, it was difficult to preserve these nice limitations and boundaries. Portugal might say "I do not wish to go to war; but if I lie by till France has completed her triumph over Spain, can I be sure that her aggressions will proceed no further?" After the papers which had been produced, Portugal could have little reason to believe that France would stay her career of conquest, from any regard to the peace and security of other states.

Dr. *Phillimore* contended, that the principle of allegiance ought to give the king such a power over his subjects as to prevent them from entering the service of other states. In the reign of George 2nd a statute was passed preventing the people of this country from entering into foreign service; but, as the penalty of that law applied only to their entering the service of states, under which title the revolted colonies did not come, it became necessary to pass the bill in question; and the passing of it was no new matter, as we were bound to the substance, and almost the letter of it by a treaty concluded four years previous to the time that the bill was passed. The learned gentleman went on to quote authorities to prove that the bill was not at variance with the received law of nations. It was the policy of this country to preserve a *bona fide* neutrality. It would, therefore, be a most ill-advised proceeding to adopt the repeal of the existing law, as it would appear—though not a positive departure from our neutrality—an act of excessive partiality to one of the belligerents.

Mr. *Marryat* felt himself obliged to

oppose the motion. The Foreign Enlistment bill had been avowedly passed, that an advantage might not be afforded, by the arms of this country, to one of two belligerent powers. It had now become the law of the land; and to repeal it would be to afford to Spain, in her contest with France, that assistance which it had been deemed expedient to withhold from the South American colonies in their contest with Spain. Under any other circumstances, he would have given the motion his most cordial support; for he thought that its operation had the effect of restraining the liberty of the subject. That martial spirit which induced some men to devote themselves to the profession of arms might be encouraged beneficially for the country. But now, the government having determined—and he thought wisely determined—to observe a strict neutrality, it would be unjust to alter the existing law. A noble lord had said, that he was ready to go to war upon principle; but if this feeling were to be acted upon, it would involve the country in every war which might break out in Europe; for one party was always in the wrong, and generally both, and the country would be ruined if it were to interfere in quarrels with which it had nothing to do. As far as his own individual feelings were concerned, he must confess that the ardour he had felt for Spain had considerably cooled, when he looked back upon her recent conduct towards this country. After she had engaged, by a solemn treaty to abolish the slave trade, she had pertinaciously continued to carry it on, and could not be prevailed upon to relinquish it until the most vigorous means had been put in force. She had so clogged the trade with this country by prohibitions, that she had ruined it even for her own purposes, and changed that commerce from which she had derived large profits into a hazardous contraband trade. He was surprised at seeing the present motion meet with such support from that quarter of the House where daily calls were made for the remission of taxes, when the inevitable consequence of a war, into which the proposed repeal would probably lead, would considerably increase those burthens which were now found to press heavily on the country. The public voice was in favour of neutrality, and he hoped the House would join in it.

Lord *John Russell* said, he had formed an opinion in favour of the motion which he had not yet changed, and was little inclined to do so, on the grounds mentioned by the hon. member who had spoken last. The hon. member, it seemed, did not oppose the repeal, because he thought it inconsistent with the law of nations or the policy of good government; he had even said, he thought the Enlistment bill an infringement on the liberty of the subject, and would, at any other time, vote for its repeal; but he had declined to do so now, because it might render some assistance to a gallant people engaged in a struggle for their liberties. Because, therefore, it would do good now, the hon. member preferred waiting until it could do no good at all. The hon. and learned civilian who had spoken immediately before him had stated this restrictive law to be in conformity with the laws of England. He had said, that the king ought, agreeably to the spirit of those laws, to have the power of preventing his subjects from lending their aid to foreign states who were engaged in warfare. He had waited in expectation of hearing from what English law book the learned civilian had derived his authority for his assertion, and found that it was from Bynkenshoek that he had adopted that notion. The noble lord denied that authority to be binding, and should wait for authority better and more conclusive before he could oppose it to what had been the practice in England for ages. He now came to the argument of his hon. friend (Mr. W. Lamb), and which appeared to have had some weight with the House. He did not propose now to enter into the question of parliamentary reform, nor would he follow his hon. friend through all the common-places which he had so laboriously brought forward, and which every book upon rhetoric abundantly furnished. But his hon. friend had added to them a caution against the danger of listening to eloquence on this subject, and had strengthened his caution by holding up the instance of the dangerous credulity with which the House had listened to the eloquence of Mr. Wedderburne, on the subject of the American war. The cases, however, were so different, that they ought not to have been named together, but for the sake of contrast. That was a war in which this country had engaged for the suppression of liberty—that eloquence was the eloquence of the paid advocate of the Crown, not the noble eloquence of those who were the friends of the liberties of mankind. His hon. friend was willing, he said, to give the weight of his opinion in favour of ministers, because he thought they must be peculiarly acquainted with the affairs of the country. This was no new feeling on the part of his hon. friend. In the year 1816, he had voted for the suspension of the Habeas Corpus act, because he thought the ministers were best informed of the existing state of the country. He (the noble lord) was obliged to say that he did not entirely trust in their superior information; because, if they really possessed it, he must think even worse of them than he now did. The papers on the table showed that they had been completely duped in the recent negotiations with France. The noble lord proceeded to make some allusions to the late transactions with regard to Spain, but in so low a tone that he was very imperfectly heard in the gallery. We understood him to say, that it had been at one period proposed by the French mission, that the Spanish government should modify or give up the constitution, when France would join them and risk a war with Great Britain for the recovery of the South American colonies. He now came to what was more properly the question before the House, and would endeavour to meet fairly the argument of his hon. friend. As he had understood it his hon. friend had said, that although it had been the practice of the kings of Great Britain to allow their subjects to enter into the service of foreign states engaged in war, yet that, as this was during a period when the conflicts between the Catholic and Protestant powers extended over the whole of Europe, it was not at all applicable to the present times. The noble lord said, he would refer to the practice of a sovereign, who, perhaps, understood the art of ruling better than any other—he meant queen Elizabeth. She permitted officers and soldiers to be raised in England for the assistance of the people of the Netherlands who were engaged in a contest with Spain; and this too at a time when she was in amity with the latter power. She had, upon that occasion, made a declaration, in which she stated the grounds upon which she assisted the Netherlanders, and which he thought would sufficiently show, that those times and the present were, in all the main features, precisely the same. The declaration stated, that the people of the Netherlands pretended that they were absolved from their allegiance to Spain, and were free to choose any other princes. This, it would be perceived, was even a stronger case than that now existing; where the object of the people of Spain was, not to throw off their allegiance, but to purify their constitution. The queen went on to say, that the object of the Spaniards was, to plant themselves in the Netherlands, as they had done in Naples and other countries; and that danger might ensue to England, if measures were not taken to prevent their progress. Let the House now see in what respects the present state of the world resembled that described in the declaration to which he had referred. In 1820 the emperor of Russia had issued his first manifesto respecting the Spanish affairs, in which he laid down that principle which the right hon. gentleman opposite had very justly said was calculated to strike at the root of the British constitution. It was, that "institutions emanating from thrones were conservative, while those which sprung up from popular effort, were calculated to engender a new chaos." The noble lord said, he should like to know how the history of Europe would bear him out in that assertion. It had, however, been repeated in every state paper since issued by the allies—in the Berlin Gazette, in the last document from the congress of Laybach, and in the declaration made by the king of France, who wished that "Ferdinand 7th should be free to give to his people institutions which they could not hold but from him." If, then, in the days of Elizabeth, the Protestant and Catholic causes had been arrayed against each other; now, the cause of despotism was on the one side, and the cause of the liberties of Europe on the other. Let not the House suppose that the encroachment would stop with the termination of the contest in Spain: it was the liberties of England that were aimed at. It might be doubted by the subjects of despotic power, whether they would do well in imitating the revolutions of Naples, Spain, and Portugal, from which advantages so slow or so doubtful had resulted; but the revolution of England was so eminent, and its consequences so glorious, that it could not fail to strike the people of every nation. For this reason, therefore, it was, that this country had now the same interest which had influenced queen Elizabeth; and if the preservation of its liberties were dear, it ought to follow her example. They had the same reason now for wishing Spain to prosper, as she had to favour the Netherlands. But it was said we must preserve a strict neutrality. He denied that the repealing this act would infringe that neutrality. It was impossible that any power could call us to account for restoring the law to that state in which it was previous to 1819. Let that House do what it might, and legislate as it pleased—the heart of the country was completely with the gallant people of Spain. The best course, therefore, that could be taken, was, to give way to the generous sympathies of the people, in favour of the Spanish cause.

Mr. *Thomas Courtenay* said, the question was not what had been done in centuries past, but what ought to be done now. The assistance given by queen Elizabeth to the people of the Netherlands had been immediately followed by a war with Spain: she knew well that must be the consequence of that assistance, and she had no objection to that consequence. This was, therefore, no precedent for us, whose object and determination, as stated by the noble lord who made the motion, was, to preserve neutrality. We could scarcely disguise from ourselves that the repeal of this act would prove beneficial to Spain. Upon what pretence then, could it be said to be a neutral proceeding? Several quotations had been made from the law of nations in favour of the view which gentlemen supporting the motion had taken, but others would be found no less applicable to an opposite construction. The hon. gentleman proceeded to read an extract from Grotius, b. iii, c. 20, sect. 31, to show that assistance given by the subjects of a neutral state, to one belligerent, is to the other belligerent a justifiable cause of war, if there be "apparent reason for believing that there is, in the government, an intention to permit it." Vattel, b. iii, c. 7, sect. 104, says, "neutrals ought to give no assistance where there is no objection to give it, nor voluntarily to furnish troops, arms, ammunition, or any thing of direct use in war. I do not say to give assistance equally, but to give no assistance." And even as to loans, and things not directly relating to war, he says, "if it was evidently given for the purpose of enabling an enemy to attack me, this would be concurring in the war against me." From all that had been written on this subject, it was clear, that they must look, both to the animus with which any measure was adopted, and to the effect it was likely to have with respect to the belligerent parties. There was no part of the speech of his right hon. friend (Mr. Canning) on a former night, in which he more entirely concurred, than that in which he referred to the conduct of this country, with respect to neutrals, when we were a belligerent power, and pointed it out as the measure, by which, as a neutral power, we ought now to be guided. As a belligerent power, this country had always held, that, if assistance were given by a neutral to the state with which we were at war, such interference authorized us to resort to hostilities against the neutral. Great Britain had even gone so far as to say, "we will not permit a neutral state to avail itself, during war, of any measure adopted by a belligerent power, from which the neutral would derive commercial gain; because the intercourse so permitted must also be beneficial to the belligerent, and must enable him more readily to resist our attacks." This doctrine had been fully laid down by sir Joseph Yorke, in his memorial to the States-general in 1758, He there said, that England, being at war with France, could not allow a profitable and advantageous trade, not open in time of peace, to be carried on with her great enemy. Lord Howick, in 1807, told the Danish minister, that it was the duty of a neutral "non bello se interponere; non hoste imminente hostem eripere." Upon the whole, without offering any opinion whatever on the general question, he never entertained a stronger conviction than he did on this point; namely, that if we were now to repeal this act, looking to the conduct which this country had pursued during the last war, and above all considering what had been said on both sides of the House, and the statements contained in the despatches of his right hon. friend, it would be saying that we were prepared to take a decisive part in the war.

Sir *R. Wilson* said, that nothing had occurred since the debate, on passing the Foreign Enlistment bill in that House, which tended to alter the opinion he then held; namely, that it was an unjust, impolitic, and most degrading measure. Unjust, because it was opposed to the generous feelings of the people of this country, and could not be carried into effect without revolting those feelings, and operating against the oppressed; impolitic and degrading, because it retarded the progress of freedom in other nations which was so important to this, The learned civilian opposite had asserted, that the doctrine of those who were adverse to the bill now under discussion, was contrary to the common law; that it was a breach of the common law for the subjects of a state in amity with another to assist a belligerent power which was at war with the state so at amity. This, however, was not the case. Those who supported the present motion only called on the House to suspend that obnoxious statute law, which operated against the common law of the land. His learned friend (Dr. Lushington) had expressed some doubt, whether this bill had originally been passed in consequence of a request from the Spanish government. He, however, could now assert, on good authority, that such was the fact. The despotic government of Spain had called for the measure; but that government had been altered, and the free and independent Spanish government now desired the repeal of the bill. He knew not why the people of this country should be prevented from assisting the Spaniards, when they saw the armies of France composed of Swiss troops and other mercenaries, and when they knew that the French government might call to their aid the forces of Austria, Russia, and Prussia—states against which Spain had committed no offence. This, however, appeared to be considered no breach of neutrality. They had seen the states of Germany openly recruiting for the Greeks; but they had heard of no remonstrance against that proceeding as a breach of neutrality. The hon. member for Hertford seemed to think, that even raising subscriptions to assist an invaded nation was a breach of neutrality. But, it had not been so considered when a subscription was entered into for the Greeks. Even the despot of Russia, who certainly was not very much attached to their cause, made no representation on the subject; but the hon. member for Hertford appeared to view it as an offence that ought to be punished, not as an act which ought to be rewarded. He further objected to this bill, because, while it was in itself nugatory, it created very great inconvenience and injury. It was nugatory as to preventing soldiers and sailors from entering foreign service, but it was detrimental to their interests, because it subjected them to punishment on their return, and placed in the hands of the commander in chief the power of depriving them of their pensions. But, in spite of this law, they had seen the independence of South America achieved, by the patriotic efforts of British soldiers and sailors, acting under the auspices of British merchants. Now, could any man say that it was fitting, when these soldiers and sailors returned to their native country, that they should be subjected to punishment, instead of being hailed as the liberators of a great country? Those brave men might suffer inconvenience, they might suffer imprisonment, but they could not suffer disgrace on account of their conduct; because they knew that all they had done, though it might be against a particular law, was free from any moral crime. Many persons had asked him to give them advice as to the course they should pursue with reference to the war in Spain. His uniform answer was, that he could give no advice on the subject, but he would state what, under the same circumstances, he would do himself. This he would say, that if, by his advice or service, he could give any assistance to the Spanish people, he would do so, in spite of any inconvenience or punishment he might be exposed to under this law. No man ought to go to Spain as the partisan of any faction, or as the friend of any political zealot. He ought to proceed there for the honest purpose of furthering the success of a great cause—a cause, which was most dear to the honour of every Englishman, and most important to the interests of his country. He ought to prove, by the sacrifices which he made, the sincerity of his professions. He would have the satisfaction of knowing, that the day could not be far off, if the war were protracted, when the standard of Spain would be united with the standard of England; because it was impossible that the people of England could submit to the continuance of this timid and inglorious neutrality. By whom would an active interference in the affairs of Spain be opposed? It would be opposed by men who would plunge this country into a new war for the support of despotic principles—who had rejoiced at the subjugation of Italy—who were the enemies of reform on every occasion—who had never, by any chance, given a vote for the people. There was another class who came under the denomination of economists, by whom, perhaps, it would also be opposed. But such men, with all their ingenuity had but a dim vision, indeed, if they did not see that we should be obliged at length to engage in war, with increased difficulties and increased expence on acount of our present neutrality. Such men flattered the people, when they told them, at a time when a dreadful policy was about to agitate Europe, that they could eat the bread of peace; but he trusted the people of this country would never submit to eat the bread of humiliation and shame, by remaining the passive and inglorious spectators of the violation of the rights of nations.

Sir *J. Yorke* said, he would not give way to his gallant friend, with respect to the warm feelings which he entertained towards the Spanish people; but, as this measure was not now to be enacted, but was merely to be continued, and as it was intended to preserve a strict neutrality, he was one of those that would not part with the Foreign Enlistment bill, by the repeal of which that neutrality might be endangered. In the seventh clause of the bill the greatest possible precaution was taken against the equipment of private ships of war. On a due observance of that provision depended the complete neutrality of this country. If it were repealed, a desperate war would probably be the consequence. He would confidently assert, that if private ships of war were allowed to be equipped, there would be such a flight of seamen from this country, so many of them would enter foreign service, that when we wanted to man our own navy, to protect our insular situation, there would be a great paucity of that *materiel.* From a paragraph in a newspaper, it appeared that at Liverpool alone, in the last week, 300 British seamen were engaged to man the fleet of a monarch for whom, in former days, they would have looked to some story in the "Arabian Nights' Entertainments"—the emperor of the Brazils. This was one of those awful warnings which ought to induce the House to take care how they proceeded in affairs of this sort. Nothing was so important to us as the keeping up a supply of seamen. So certain was he of this fact, that if it were proposed to cut off the salary of the Speaker in his chair—of the king on his throne—or of his good friends, the ministers, in their places, for the purpose of employing an adequate number of sailors, he would be one of the foremost to agree to the motion. Gentlemen more eloquent than he could pretend to be, had given their opinions on this subject—gentlemen who were stuffed up to the chin with the doctrines of Grotius and Puffendorff, and who were enabled, by their acuteness of mind, to split and twist every hair of a cause to their own purpose. He was not so clever; but he would that night give a conscientious vote for the preservation of this bill, and in so doing he should be acting on the principle which his right hon. friend had, on a former evening, quoted from sacred writ—"Do unto others, as you would that they should do unto you."

Mr. *H. Gurney* said, he was sure that he was speaking the sentiments of the very great majority in the country, when he expressed his gratitude to his majesty's government for having done all that in them lay, to preserve, at any rate to England, a continuance of the blessings of peace. He had voted against the Foreign Enlistment bill on its introduction, being dissatisfied with the enactments which followed Englishmen out of their own country, and more so, with the provision which made the government accessary to their taking foreign service, in requiring the king's license: but, common sense and common equity required, that open recruiting and fitting out armaments against powers in amity, should be prevented within the king's dominions; and, if this bill should now be repealed, it was obvious, that armed privateers would be issuing from our ports for what was neither more nor less than piracy, and would, in all probability, involve this country in war in less than a twelvemonth. For these reasons, entirely as he detested the principles on which the French were acting in their most iniquitous invasion of Spain, he should certainly vote against the motion of the noble lord.

Mr. *Baring* said, if he did not hear better reasons against the repeal of the bill than those which had hitherto been offered, he should feel it his duty to support the motion; but, he would not give it even the humble aid of his voice, if he thought that the abandonment of this measure would plunge the country into a new war. But, when the country had safely and quietly existed for so many centuries under that state of things, to which, by the repeal of this bill, it would again return, he knew not on what principle it could be contended that they could not revert to it, without immediately hazarding a war. They must have to do with very touchy allies indeed, if they could not repeal this act without giving cause for war; and he thought the right hon.

gentleman (Mr. Canning), when he gave his opinion on the motion, as of course he would do, ought to state, whether it involved any consideration of this sort. If there were any thing in that bill relative to the equipment of ships, which ought not to be repealed, lest it might produce effects injurious to the country, it was competent for any gentleman to introduce a provision to meet that point. The gallant admiral had said, that several hundred British seamen had lately gone from Liverpool, and engaged in the Brazilian service. It appeared, then, that this foreign enlistment took place in spite of the law. It therefore formed no argument against the repeal of this act. It was rather an argument in favour of the repeal; because it proved that the measure was repugnant to the feelings of the seamen, and could not, therefore, be carried into execution. This circumstance proved that the law was wholly inoperative. At former periods they had seen their seamen enter the service of foreign states, and good, not evil had resulted from it. In the war carried on by the empress Catherine against Sweden, the contest in the Baltic was chiefly directed by British seamen. Admiral Gregg and admiral Elphinstone were employed on different sides—and what was the consequence? Why, the moment this country was in danger of a war with Catherine, a proclamation brought all the British seamen home again. Thus, they had had the advantage of a body of seamen, who were trained to active exertion in the service of a foreign power, while this country was at peace. They could not have had this advantage if those men had been prevented from serving a foreign power. The knowledge they thus acquired was extremely useful to the country. The same might be observed with respect to soldiers. One of the greatest generals this country ever produced, the duke of Marlborough, had, he believed, acquired all his experience in the French wars, under marshal Turenne. He would contend, that if we had a well-founded hope that peace would continue for ten or twelve years, it was important to the interest of this country, that naval and military officers should not be compelled to remain unemployed, but should go abroad, to obtain, in active service, that experience, which never, until that night, was supposed to compromise the peace of the country. If he heard no stronger arguments than those which had been adduced, he certainly should vote for the repeal—not with reference to the situation of the Spanish people, but on the broad general principle which he had laid down. He admitted, that the late war, from which this country had not yet perfectly recovered, required some interval of peace; but, when those who conducted the foreign affairs of the empire told them that peace could not be preserved without our suffering disgrace, or refraining altogether from interference, then he concluded, either that the violence and iniquity of the powers of Europe had arrived at the highest pitch, or that there was a want of skill and dexterity, or of firmness, on the part of this government. It was said, that this country had no alternative but non-interference or war. He contended, that if ministers had done their duty there was another alternative. He defied any man of common understanding, who had read the papers which had been laid on the table, to point out any thing in them which showed that the case was so earnestly argued, and put with such force before the continental powers, as to justify ministers in declaring that there was no alternative but neutrality or war. Of this he was persuaded, that there never had been a question of such extreme importance to the country, so loosely thrown away by the government; one in which, from the beginning to the end, it was impossible to see either resolution or earnestness. He must say, that he never, in the whole course of his life, read any papers which gave him more real pain than those lately laid on the table, or which reflected such discredit on the government, and went so far in committing the character of the country. He should vote for this motion, from a conviction that it would neither lead to, nor accelerate war. If, however, they had allies of so touchy a temper, that their views alone must be primarily consulted, then he would say, that it was better for England to pursue the manly and becoming conduct, which ought to characterize her policy in the eyes of the world; not for the purpose, or with any wish of offending her allies, but certainly without fearing them.

Mr. *Wynn* contended, that by the old law of England the raising of troops in this country for belligerent powers, or the fitting out of privateers for them in our ports, was illegal. It had been said, that if our soldiers were engaged in foreign service, they might at any time be recalled by a proclamation from the king. But that course, however desirable, was not always practicable. And let the House consider what might be the effect of allowing belligerent powers to enlist in this country. For his part, he could not even in imagination contemplate two regiments of Englishmen engaged in different services, and directing their bayonets at each other's breasts, without horror. The return of such individuals to their native country was also a circumstance that might be attended with no small danger; as, on the one hand, they might be disposed to aid a popular insurrection; so on the other, they might be inclined to assist in the establishment of a despotic government. In speaking upon this subject, he was forcibly reminded of a character introduced by "The great unknown," in one of his inimitable works, of the name of Dalgetty, a mercenary wholly devoid of all honour and principle, and making a trade of arms, having no object or care, but that of serving the party to whom he had sold himself.

Sir *F. Blake* said, he should support the motion, in the hope that the representative voice of a great nation would not be heard in vain in France. He was of opinion, that if our government had assumed a higher tone throughout the recent negotiations, Spain would never have been invaded.

Mr. Secretary *Canning* rose, and spoke to the following effect:—Sir; those hon. gentlemen—being by far the greater number of those whom I have the honour to address—who were not present at the commencement of this debate, can hardly imagine what a degree of restraint I impose upon myself, when I say, that it is my intention to confine myself, in what I am about to remark, strictly to the question before the House. For those who were not present cannot be aware that, from the very beginning of the discussion, there has been, whether studiously or accidentally, I know not, a sort of set-off against the figure which an hon. and learned gentleman last night applied to the benches on this side of the House, when he was describing what he conceived to be the variety of opinions by which those hon. gentlemen were influenced, who were nevertheless disposed to vote for the same proposition. Nothing certainly can exceed the vacillations of opinion, as to the expediency of maintaining peace or of declaring war, which we have this night heard from those who have nevertheless concurred in advocating the repeal of the Foreign Enlistment bill. The repeal of this measure was moved by a noble lord, a professed lover of peace, who disclaimed the slightest wish to involve this country in hostility, and who delivered his sentiments with that moderation and good sense which distinguishes every effort that he makes in this House. The motion was seconded by another noble lord, of whose speech the only character which I will give is, that it afforded in substance, tone, and manner, a perfect contrast to that of his noble predecessor in the debate. That noble lord declared that he was for war, for open war, and argued in support of a pacific motion simply and solely with a view to hostility. Sir, I will not follow the noble lord through that speech; for it would be necessary, in order that my representation of it should be believed, that hon. gentlemen should have been present when it was spoken. The Lacedæmonians were in the habit of deterring their children from the vice of intoxication by occasionally exhibiting their slaves in a state of disgusting inebriety. But, Sir, there is a moral as well as a physical intoxication. Never before did I behold so complete a personification of the character which I have somewhere seen described, as "exhibiting the contortions of the Sybil without her inspiration!" Such was the nature of the noble lord's speech. I will not on this occasion reply to it; being of opinion with I am sure a great majority of those whom I have the honour to address, that this is not a fit opportunity for entering into such a discussion. Let it not be supposed, however, that I am disposed to shrink from the discussion; for the noble lord may believe me, when I assure him that however I may have "truckled" to France I will never truckle to the noble lord [loud cheers from both sides of the House.] I am perfectly ready to meet the noble lord and the hon. gentleman near him, on the whole of this case whenever they may please to bring it regularly under the consideration of the House; and I postpone my reply only until the opportunity which has been promised shall arrive, and because the present measure must be discussed, if discussed at all, only on the assumption that we are to preserve our neutrality. If the question which the noble lord and the hon. gentlemen on the other side of the House wish to agitate, is whether the true policy of this country is war or neutrality? if that is to be the issue in the debate of which they have given notice I can have no possible objection, when the proper time shall arrive, to meet them, and enter into that discussion; and I am confident I shall be perfectly able to show that, whether the question be viewed with reference to the national security and the national interests, or to the equally important consideration of the national honour, the course of policy which wisdom and justice have marked out for this country in the present state of the world is neutrality—neutrality, as long as it can be preserved consistently with our interests—neutrality, as long as it can be preserved, consistently with our honour. But, Sir, as I have already declared, I quarrel with no man who honestly entertains an opposite opinion. I am perfectly ready to meet the advocates for war, and without imputing to them any but the most honourable motives. But I must be allowed to postpone my argument on that point, until the proper time shall arrive for its production. In the meanwhile, I have a fair right to protest against charges, which no man ought to permit himself to throw out at random, when he knows that they cannot be conveniently replied to. However, Sir, I will not be drawn by any intemperate or premature observations, into a debate on a subject not yet before the House. Whenever that subject comes fairly before us, let it be fully investigated; let the true policy of this country be ascertained, and let the conduct of his majesty's government be judged of by the standard which parliament may think proper to establish. In the absence of such a discussion, and such a result, I shall take it for granted that, both in this House and in the country at large, the prevalent feeling is in concurrence with the course which his majesty's government have thought it their duty to adopt. If, in assuming that to be the case, I am assuming that which is not true, the noble lord and the hon. gentlemen opposite will soon enjoy the opportunity of setting me right, and of dissipating the unhappy delusion under which I am labouring. But, assuming that to be the fact (for we must have some foundation on which to argue), I proceed to discuss the merits of the noble lord's motion, in reference to a system of neutrality. It was, indeed, in reference to a system of neutrality, that the noble lord brought forward that motion—it was in reference to a system of neutrality, that the noble lord's motion was supported by an hon. gentleman near him, who always throws a light upon whatever subject he investigates. Undoubtedly, I should very much misrepresent the character of the speech of the noble lord who seconded the motion, were I to assert that it had any reference to neutrality. But, Sir, upon a fair estimate of suffrages, I think I have a right to conclude, that among the supporters of the noble lord's motion the advocates for neutrality bear, at least, an equal proportion to the advocates for war. It is, therefore, in reference to a system of neutrality alone that I should consider myself justified in considering the noble lord's proposition. Now, Sir, let me, in the first place, recall the attention of the House to the precise nature and state of the question. The act of parliament which the noble lord has moved for leave to bring in a bill to repeal, was passed four or five years ago, partly in mitigation of the statute law, and partly in confirmation of the common law; the fact being, that the common law prohibited the transfer of military allegiance to any other power without the consent of the sovereign, and that the statute law annexed to a transgression of the common law on that subject, certain severe and sanguinary penalties. When peace was concluded between this country and Spain in 1814, an article was introduced into the Treaty, by which this country bound itself not to furnish any succours to what were then denominated the revolted colonies of Spain. In process of time, as those colonies became more powerful, a question arose of a very difficult nature; to be decided on a due consideration of their de jure relation to Spain on the one side, and their de facto independence of her, on the other. The law of nations was entirely silent with respect to the course which, under a circumstance so peculiar as the transition of colonies from their allegiance to the parent state, ought to be pursued. It was difficult to know how far either the statute law or the common law was applicable to colonies so situated. It became necessary, therefore, in the act of 1818, to treat the colonies as actually independent of Spain; and to prohibit mutually, and with respect to both, the aid which had hitherto been prohibited with respect to one alone. Thus, Sir, has the law stood, from the year 1818 down to the present time. I ought to observe, that it was in order to give full and impartial effect to the provisions of the treaty with Spain, which prohibited the exportation of arms and ammunition to the colonies, but did not prohibit their exportation to Spain; that the act of 1818 declared that the prohibition should be mutual—a declaration which so little deserves the character of bearing hard upon the colonies, that it was in fact an extension of advantage to them. When, however, from the tide of events, war became probable between France and Spain, it became necessary to review these relations. It was obvious that if war broke out, we must either extend to France the prohibition which already existed with respect to Spain, or we must remove from Spain the prohibition to which she was at present subject, provided we meant to place the countries on an equal footing. As far as the exportation of arms and ammunition was concerned, it was in the power of the Crown to remove any inequality between the parties simply by an order in council. Such an order was consequently issued, and the prohibition of exporting arms and ammunition to Spain was taken off. By this measure his majesty's government afforded a guarantee of their *bona fide* neutrality. It is obvious, that the mere appearance of neutrality might have been preserved by the extension of the prohibition to France, instead of by the removal of the prohibition from Spain; but it would have been a prohibition in words only, and not at all in fact; for the immediate vicinity of the Belgic ports to France, would have rendered the prohibition of direct exportation to France totally nugatory. So far, Sir, was this determination on the part of his majesty's government concerted (as some hon. gentlemen have imputed to us) with France and not with Spain, that I can assure the House with perfect truth that the concert, if concert it can be called, was with Spain, and not with France; for his majesty's government stated to Spain, that there were two modes in which the difference between the privileges of France and Spain might be equalized by an order in council; either by prohibiting the exportation of arms and ammunition to France, or by removing the prohibition upon their exportation to Spain; but it was also stated to Spain, that his majesty's government could not remove that prohibition as it respected Spain, without removing it also as it respected the South American colonies. Such, Sir, was the motive; namely, to produce an equality between France and Spain, not in words but in fact, which prompted the order in council to which I have alluded. I desire to consider the act, for the repeal of which the noble lord has moved, in precisely the same point of view. I desire the House to consider, whether the repeal of that act would not have—not the same, but the correspondent effect to that which would have been produced by an order in council, prohibiting the exportation of arms and ammunition to France. Sir, every body knows, however he may abstain from saying it, that a repeal of the act in question would be a repeal only in words as respecting France, but a repeal in fact, as respecting Spain. Every body knows that such a repeal would occasion an inequality of operation, certainly not intended by the noble mover who distinctly disclaimed any such wish; but no less certainly desired by some other supporters of the motion, who are not equally impartial. Whether it might or might not be right to testify a partiality to Spain is another and a larger question. I am arguing on the assumption that the policy of this country is neutrality; and I maintain that, whether the repeal of the bill ought to be considered as a right or a wrong measure, it cannot be denied, that it would be an infraction of neutrality.—Sir, if I have succeeded in showing, that there is no ground for repealing this act, in order to mark our neutrality; if I have succeeded in showing, that what has been done by his majesty's government—manifests, if not neutrality, a leaning, not to the stronger, but to the weaker party—it only remains for me to examine whether there is any thing in this act so contrary to the established law of nations as to render it unfit to be longer continued. Sir, the act is divided into two plain and distinct parts; the one prohibiting British subjects from entering into the military service of belligerent states; the other forbidding the fitting out of privateers for the service of those states, in British ports with British means and money, or which are to be manned with British seamen. With respect to the former part, on which the greater portion of the debate of this evening has hinged, I agree with my right hon. friend near me in considering it as the part which is of the less importance as regards Spain; because though there is no doubt that any advantage taken of the proposed repeal would be in favour of one belligerent, and that a disposition to violate our neutrality on that side, has been already manifested: yet I do not think that it would go the length which has been anticipated by many. I do not mean to say that Spain has shewn herself ungrateful for the services of distinguished individuals upon former occasions; but the laws of Spain have been changed since that period. I have observed, and so must those who now hear me have observed, that shortly after the late speech of the king of France, or, at all events, upon the first burst of feeling having manifested itself in Spain, certain regulations were adopted relative to the admission of foreigners into the Spanish army. It was then decided that foreigners who had previously served in the Spanish army, should be allowed to re-enter it—up to the rank of serjeants; and that foreigners who had not served in that country before should be permitted, with all their hearts, to serve—up to the full rank of privates [a laugh]. So that here, at least, no very strong temptation is held out to induce the co-operation of the military spirit, skill, and enterprise of this country in support of the Spanish cause. I have also reason to form this opinion, from a recollection of what took place upon former and no very distant occasions. When the army of England last fought in Spain, they fought in favour of a united people against a foreign and a common foe. How altered is the case at present! Who is there who could wish to see Englishmen on entering the Spanish territory opposed, not to the foes of Spain, but directing their bayonets against Spanish bosoms? This, I confess, is a sight which I would rather not witness. In one case, perhaps a feeling of gratitude might be created in the minds of Spaniards; though I confess that upon this point I am not very sanguine; for I recollect, that, though something like gratitude was manifested by the Spaniards for the services rendered by the English during the late war, there was also upon the embarkation of our troops something like a public gratulation, that the country had been at length cleared of the presence of those heretics [hear, hear!]. This I am aware I may be told arose out of the bigotry of the Spanish government. And here I cannot help observing that the charge of bigotry urged against Spain, in her dealings with her colonies, is incorrect. Indeed, the reverse is the fact; the main obstacle having been the difficulty of managing their popular assemblies. There is a peculiarity of character in the people of Spain, which from its reserve makes the Spaniard a Spaniard and nothing else. This feeling may perhaps serve to knit them more closely together, and render them more national. It may, too, and it is to be hoped will, have the effect of extinguishing the feuds and party differences by which they are at present unhappily distracted. Without imputing blame to them in any degree on this account, I can only repeat, that such is the fact. It is undoubtedly true, that Spaniards amalgamate less readily than any other European people, with the habits and institutions, as they concur more slowly or unwillingly in the views and policy, of any other nations; and I state the circumstance as furnishing an additional argument why it is not altogether desirable to repeal this measure at the present time, for the purpose of mixing up British soldiers with the existing dispute between France and Spain.—But I consider the other branch of the case of infinitely greater importance. A noble lord has made an allusion, and with great fairness, to a speech made by me upon a former evening, in which speech I endeavoured to point out what were the duties imposed upon us by a strict neutrality. That speech has been referred to, as if it contained something that was appalling—some axiom that was unheard of and abominable—because it advocated the principle of our maintaining a strict neutrality. Good God! is it to become a maxim with this country, that she is ever to be a belligerent? Is she never, under any possible state of circumstances, to remain neutral? If this proposition be good for anything; it must run to this extent—that our position, insulated as it is from all the rest of the world, removes us so far from the scene of continental warfare, that we ought always to be belligerent — that we are bound to counteract the designs of Providence, to reject the advantages of nature, and to render futile and erroneous the description of the poet, who has said to our honour, that we are less prone to war and tumult, on account of our happy situation, than the neighbouring nations that lay conterminous with one another. But wherefore this dread of a neutrality? If gentlemen look to the page of history, they will find that for centuries past, whenever there has been a war in Europe, we have almost always been belligerent. The fact is undoubtedly so; but I am not prepared to lay it down as a principle, that if, at the beginning of a war, we should happen to maintain a species of neutrality, it was an unnatural thing that we should do so. Gentlemen say, that we must be drawn into a war, sooner or later. Why, then I answer—let it be later. I say, if we are to be drawn into a war, let us be drawn into it on grounds clearly British. I do not say—God forbid I should—that it is no part of the duty of Great Britain to protect what is termed the balance of power, and to aid the weak against the insults of the strong. I say, on the contrary, that to do so is her bounden duty; but I affirm also, that we must take care to do our duty to ourselves. The first condition of engaging in any war—the *sine quâ non* of every such undertaking—is, that the war must be just; the second, that being just in itself, we can also with justice engage in it; and the third, that being just in its nature, and it being possible for us justly to embark in it, we can so interfere without detriment or prejudice to ourselves. I contend, that he is a visionary politician who leaves this last condition out of the question; and I say further, that though the glorious abandonment of it may sound well in the generous speech of an irresponsible orator—with the safety of a nation upon his lips, and none of the responsibility upon his shoulders—it is matter deeply to be considered; and that the minister who should lay it out of his view, in calling on the country to undertake a war, would well deserve that universal censure and reprobation with which the noble lord opposite has this night menaced me. If it be wise for a government, though it cannot prevent an actual explosion, to endeavour to circumscribe the limits and to lessen the duration of a war, then I say, that the position we have taken in the present instance is of more probable efficacy, than that in which we should have stood, had we suffered ourselves to be drawn into a participation in the contest. Participation, did I say? Sir! is there any man who hears me—is there any man acquainted with the history of the country for the last twenty years—who does not know the way in which Great Britain has been accustomed to participate in a war? Do not gentlemen know, that if we now enter into a war, we must take the whole burthen of it upon ourselves, and conduct the whole force and exertions of the Peninsula. But, supposing such to be our course, how different must be our situation, as compared with former periods. When we last became the defenders of Spain, we fought for and with a united people. What would be the case at present? Any interference on our parts in favour of Spain must commence with an attempt to unite contending factions, and to stimulate men of opposite interests and opposite feelings, to one grand and simultaneous effort. Now I do not hesitate to say, that the man who would undertake to do this under present circumstances, must either be possessed of supernatural means of information, or of a hardihood which I may envy, but shall not attempt to imitate. I say that those men will not consult the true dignity of the country, who, finding fault with the part we have adopted, wish to indemnify themselves by endeavouring to make us perform that part amiss. Our course is neutrality—strict neutrality; and, in the name of God, let us adhere to it. If you dislike that course—if you think it injurious to the honour or interests of the country—drive from their places those neutral ministers who have adopted it; but until you are prepared to declare war, you are bound to adhere to and to act upon the system which ministers have laid down. I stated a few evenings ago, that we could have no difficulty in the course which we had to pursue, in observance of a strict neutrality. We have spent much time in teaching other powers the nature of a strict neutrality; and, generally speaking, we found them most reluctant scholars. All I now call upon the House to do, is to adopt the same course which it has recommended to neutral powers upon former occasions. If I wished for a guide in a system of neutrality, I should take that laid down by America in the days of the presidency of Washington, and the secretaryship of Jefferson. In 1793, complaints were made to the American government, that French ships were allowed to fit out and arm in American ports, for the purpose of attacking British vessels, in direct opposition to the laws of neutrality. Immediately upon this representation, the American government held, that such a fitting-out was contrary to the laws of neutrality; and orders were issued, prohibiting the arming of any French vessels in American ports. At New York, a French vessel fitting out was seized, delivered over to the tribunals, and condemned. Upon that occasion, the American government held that such fitting-out of French ships in American ports, for the purpose of cruising against English vessels, was incompatible with the sovereignty of the United States, and tended to interrupt the peace and good understanding which subsisted between that country and Great Britain. Here, Sir, I contend, is the principle of neutrality upon which we ought to act. It was upon this principle that the bill in question was enacted. I do not now pretend to argue in favour of a system of neutrality; but it being declared that we intend to remain neutral, I call upon the House to abide by that declaration, so long as it shall remain unaltered. No matter what ulterior course we may be inclined to adopt—no matter whether at some ulterior period the honour and interests of the country may force us into a war—still, while we declare ourselves neutral, let us avoid passing the strict line of demarcation. When war comes, if come it must, let us enter into it with all the spirit and energy which becomes us as a great and independent nation. That period, however, I do not wish to anticipate; and much less desire to hasten. If a war must come, let it come in the shape of satisfaction to be demanded for injuries—of rights to be asserted—of interests to be protected—of treaties to be fulfilled. But, in God's name, let it not come on, in the paltry pettifogging way of fitting out ships in our harbours to cruise for gain. At all events, let the country disdain to be sneaked into a war. Let us abide strictly by our neutrality, as long as we mean to adhere to it; and by so doing we shall, in the event of any necessity for abandoning that system, be the better able to enter with effect upon any other course which the policy of the country may require.

Mr. *Denman* said, he warmly supported the motion of his hon. friend, but did not wish to be understood as pledging himself to any measure from which a war was necessarily or even likely to follow. The hon. friends with whom he was in the habit of acting would, year after year, and session after session, without interruption, have called for the repeal of this odious measure, as well as of the Alien bill, had not they but too clearly perceived, that they were vainly contending against those majorities which the ministers could command. When they were told by the right hon. gentleman that foreigners were excluded from entering the Spanish army except in the rank of serjeants or privates, surely reason enough had been shown why it was not necessary to guard against the temptations to foreign enlistment by a measure so objectionable as this bill. He entreated the House not to be deterred from doing what was right, by any threat on the part of foreign powers, to abridge our freedom of action.

After a short reply from lord Althorp, the House divided: Ayes, 110; Noes, 216.

List of the Minority.

Abercromby, hon. J.
Baring, A.
Barnard, visc.
Barratt, S. M.
Benett, John
Bennet, hon. H. G.
Bentinck, lord W.
Benyon, B.
Bernal, R.
Birch, J.
Blake, sir F.
Brougham, H.
Browne, Dom.
Burdett, sir F.
Byng, G.
Calcraft J. H.
Carew, C. S.
Carter, J.
Caulfield, hon. H.
Chaloner, R.
Clifton, visc.
Colburne, N. R.
Creevey, T.
Crompton, S.
Cradock, S.
Davies, T. H.
De Crespigny, sir W.
Denison, W. J.
Denman, T.
Ducannon, visc.
Ebrington, visc.
Ellice, E.
Ellis, hon. G. A.
Evans, W.
Fergusson, sir R.
Fitzgerald, lord W. C.
Glenorchy, visc.
Graham, S.
Grattan, J.
Guise, sir B.
Hamilton, lord A.
Heron, sir R.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Hughes, W. L.
Hume, J.
Hurst, R.
Howard, lord H.
Jervoise, G. P.
Johnstone, W. A.
Kemp, J.
Kennedy, T. F.
Knight, R.
Lambton, J. G.
Lemon, sir W.
Lennard, T. B.
Leycester, R.
Lloyd, sir E.
Lushington, S.
Leader, W.
Maberly, J.
Maberly, W. L.
Macdonald, J.
Marjoribanks, S.
Martin, J.
Milton, visc.
Monck, J. B.
Moore, P.
Newman, R. W.
Newport, sir J.
Normanby, visc.
Nugent, lord
O'Grady, S.
O'Callaghan, J.
Ord, W.
Osborne, lord F.
Palmer, C.
Palmer, C. F.
Pares, T.
Pelham, J. C.
Philips, G.
Philips, G. jun.
Power, R.
Powlett, hon. J. F.
Rice, T. S.

Rickford, W.
Robarts, A. W.
Robarts, G. J.
Robinson, sir G.
Russell, lord J.
Scarlett, J.
Scott, J.
Sefton, earl of
Smith, W.
Stanley, lord
Stanley, hon. E. C.
Stewart, W. (Tyrone)
Talbot, R.
Taylor, M. A.
Titchfield, marq.
Townshend, lord C.
Tynte, C. R.
Warre, J.
Webbe, E.
Wharton, J.
Whitbread, S. C.
Whitbread, W. H.
Williams, W.
Wilson, sir R.
Wood, M.
Wyvill, M.

TELLERS.

Althorp, visc.
Folkeston, visc.

PAIRED OFF.

Western, C. C.
Russell, Greenhill

HOUSE OF LORDS.

Thursday, April 17.

NEGOTIATIONS RELATIVE TO SPAIN.] Lord *King* said, that the papers which had been laid on the table had certainly given great satisfaction; the French ministers must be well satisfied with them; his majesty's ministers were satisfied with them; and the satisfaction of the public must be extreme, for every body laughed at them. What he now wished to know was, the expense at which all this satisfaction had been obtained. He had read the whole of the papers, and he thought with a noble earl near him, that his majesty's ministers had been completely duped. They appeared, indeed, to have all that prostration of the mind and will so pleasing to divines, but so unprofitable to diplomatists. Looking at the whole of the transactions, he was firmly persuaded, that the French ministry must have known, that the noble earl opposite would be pleased at being duped. What he now wished was, to know what had been the expense of this extraordinary diplomacy. Every man must expect to be duped once in his life, and if it were done by a person who had before borne an ordinary good character, there was not much in it; but, after the previous character of the house of Bourbon, to be duped by them, was most extraordinary. The noble lord concluded by moving, for an account of the extraordinary expenses of foreign missions between the 1st Sept. and 31st Dec. 1822.

Lord *Holland* wished to ask the noble earl opposite, whether there was any treaty, or stipulation in any treaty, between this country and France, or any other country, by which it was provided that the kingdoms of France and Spain should never be united under one head? He also wished to be informed if ministers had any knowledge of a stipulation between Russia and France, by which Russia was to land a large body of troops at Toulon, in case of a war between France and Spain. He also wished to know in what capacity the duke of Wellington, had attended the congress at Verona.

The Earl of *Liverpool* had no hesitation in saying, that, looking at all the treaties, they amounted to an obligation that the crown of France and Spain should not be united under one head. As to the second question he could only say, that he believed no such stipulation was in existence. With regard to the third question, the duke of Wellington had attended the congress at Verona, as his majesty's plenipotentiary, and was entitled to take part in all the points which might be brought under discussion.

Earl *Grey* said, he looked through the treaties in vain for any stipulation by which the union of the crowns of France and Spain was precluded. The answer of the noble earl was not satisfactory; because a danger so formidable to the independence of Europe ought to be the subject of a distinct stipulation, and not be left to be gathered from construction. Having said so much on the first question, he would proceed to other points. The first observation he should make was the scanty nature of the extract from the despatch of Mr. Canning to the duke of Wellington, dated Sept. 27, 1822: this contained the first notice of his majesty's ministers respecting the design of France to interfere in the affairs of Spain; but he thought it did not contain all the information which it ought upon that point. It also appeared to him most extraordinary, that no expectation should have been entertained that the affairs of Spain would become the subject of discussion at Verona.

The Earl of *Liverpool* said, that what he had stated, was, that it was not expected the affairs of Spain would be the prominent subject of discussion at Verona. He had also stated, that the instructions under which the noble duke went out, were the same instructions which were prepared for a late noble friend, and contained a distinct instruction on the subject.

Earl *Grey* said, that whether there was an expectation of any discussion, prominent or otherwise, appeared to him to make very little difference. In the circular of the allies respecting the assembling of the congress at Verona, it was stated to be for the affairs of Italy. Whether that was the fact, made no difference in his view of the case. Their lordships would recollect, that in the treaty of Aix-la-Chapelle, it was stipulated that a special congress should not take place, respecting the affairs of states not being parties to the alliance, except on the invitation of those states. What he wished to know was, whether there was any instruction to our negotiator upon that point. He was assured the noble earl would not argue, that this was not a "special" congress as regarded Spain, because it was held for the affairs of Italy, or for Turkey. He wished to know whether the duke of Wellington had been instructed to observe on that article; and if not, on what ground the noble duke attended at the congress on the affairs of Spain?—He now came to the three cases put forward hypothetically for the decision of the allies. And it appeared somewhat singular, that, up to that moment, the duke of Wellington appeared in complete ignorance of their intentions with respect to Spain. This appeared most extraordinary, because, from April, 1820, his majesty's government had "communicated to his allies every instruction which he had sent to his minister at Madrid, and all the communications made by his majesty's commands to the minister of Spain, residing in London—all in the same spirit of good will to the king of Spain, and to the Spanish nation." Here, therefore, we were communicating every thing to France, and France communicating nothing in return, leaving us in profound ignorance of her intentions; and all this communicated in the same despatch. He believed that so singular a state of negotiations, threatening to end in war, was never laid by any British minister before a British parliament. But, to what purpose were those communications made to the French government, except his majesty's ministers knew something of the intended course of proceeding of France? Indeed, in the first despatch or memorandum of the duke of Wellington, from Verona, he states that, "Since the month of April 1820, the British government have availed themselves of every opportunity of recommending to his majesty's allies to abstain from all interference in the internal affairs of Spain;" and yet it was pretended that we had no intimation of the intentions against Spain! But it did not rest there. The memorandum of the duke of Wellington speaks of results of the consultation of the congress. And, was it possible to suppose that at the previous conferences nothing of the objects were stated, of which we were apparently in such complete ignorance? The duke of Montmorency says, "Spain, by the nature of her revolution, has excited the apprehensions of several great powers. England participated in these apprehensions: for even in the year 1820, she foresaw cases, in which it would be impossible to preserve with Spain relations of peace and good understanding." This was conclusive as to the fact, that the affairs of Spain had been under discussion before. The despatch of viscount de Chateaubriand confirmed the statement of the duke of Montmorency, that these objects had been the subject of discussion at the congress of Verona. He therefore wished to know from the noble earl, whether he would be willing to give the House some statement of what passed at those conferences; at least as far as related to the interference of France with the internal concerns of Spain. The duke of Wellington writes on the 12th of Nov. 1822, from Verona—"I have little to report as having occurred on the Spanish question, since I wrote to you on the 5th instant." The despatch thus alluded to, was not amongst the papers on the table; and as it would contain the conferences when the Spanish question came under discussion, must be most important. These were the two points on which he wished that farther information should be afforded.—The next point was of still greater importance. The principle on which France was now at war with Spain, was, to compel Spain to alter or to modify her institutions. That was a principle which had been condemned by his majesty's ministers, both in that and the other House of Parliament; and he was particularly interested by the statement of the noble earl the other night, that a representation had been made against that principle, as being inconsistent with the rights and liberties of independent nations. He (earl Grey) knew, that in consequence of what passed at Laybach (where the right of interfering in the affairs of other countries was first put forth), a paper had been issued by the late secretary for foreign affairs, in which that principle was disclaimed. But that paper was not satisfactory to him (earl Grey) at the time; for it appeared to him, that the mere disclaimer of a principle, accompanied by exceptions to that principle, destroyed all the value of the assertion—of the general principle. Something like this, he thought, had been the conduct on the present occasion; because, in the despatch of the secretary for foreign affairs, there was a naked disclaimer of the principle only. Whether it was not our duty to do something more than that, it was not his business now to inquire; but he must say, as he said in the cases of Naples and Piedmont, that the value of that disclaimer was much abridged, and particularly when he found that the same secretary of state was then instructing his majesty's ministers at Madrid and Paris, advising and recommending that Spain should adopt some modifications of her government, at the dictation of France, without any pretence of right or justice. But, the value of the admission was still more diminished when he looked to the papers, and found that not a single representation had been made by his majesty's ministers at Verona, Madrid, or Paris, to the French government, in direct condemnation of their principle of interference. [The noble earl here read the despatch of the duke of Wellington, dated Verona, 20th Nov. 1822]. He could not here find any word of protest against the principle. Did they say that it would be an attack on the rights of independent nations? No, but that it would be an "unnecessary assumption of responsibility;" not that they were proceeding in violation of all right, but that it might be dangerous to the king of Spain himself. He must say, that nothing appeared in that despatch to warrant the assertion which the noble earl had made on the former night—that there had been a protest made against the principle. But there was something worse than this in the memorandum of the duke of Wellington, dated Verona, 12th of Nov. 1822, there was these words—"In the course of the discussions which had taken place upon this occasion, a marked difference of opinion as to the mode of action has appeared between the continental courts on the one hand, and England on the other. The minister of the latter power has recommended that France and the powers which should interfere in this case, should confine themselves to what may properly be called the external quarrel between France and Spain; should not menace: and above all, should not approach Spain in the form of enemies, bound in a treaty of defensive alliance against her." Still, no protest appeared against the principle!—Here the noble earl read several other passages from the printed papers, to show that the arguments used by the British plenipotentiary at congress were suggested, on the ground of expediency, and that he had never urged the right which every independent nation had to regulate her own internal institutions. This had disappointed him; and he trusted, for the honour of the country, that if there were any other representations, the noble earl would communicate them to the House.—The noble earl opposite, had stated, that, up to the latest period, he continued to receive assurances of the desire of peace on the part of France. Now, so far from any intention of that kind exhibited by France, he found, in a despatch of the French ministry to the secretary for foreign affairs, the assertion of the monarchical principle in plain terms—that principle by which the people of the fairest countries of Europe had been reduced to chains and slavery—that principle which denied them any right to any measure of relief, but such as the good pleasure of the sovereign might deign to accord them. That principle was distinctly avowed by the French minister; and no hopes of peace had he ever expressed, except by the submission of Spain to that principle. How, after such a declaration, ministers could entertain any expectation that France was desirous to preserve peace he could not imagine. M. de Chateaubriand concluded his note by a declaration, that if the intentions of the French government were not acted upon by Spain, war must be the result. When the French minister said, that his government had "struggled too long against public opinion," he wished it to be understood, that the people of France were hostile to the existing government of Spain. He trusted to God that M. de Chateaubriand would find that not to be the case—he trusted to God that the French people would feel that their own dignity and honour, and their dearest interests, required them not to support their government in the unjust and infamous war which it had undertaken. On the heads of those detestable men who had raised war in Europe, let the consequences of their own baseness and injustice fall! After having carefully examined the papers, it appeared to him that they contained no assurances which ought to have deceived ministers with respect to the intentions of the French government.

The Earl of *Liverpool* complained, that under pretence of asking for information, the noble earl had made a speech, in which he had entered into some of the most important parts of the great question which it was understood was to be discussed on another day. He felt himself, therefore, placed in an embarrassing situation. He must say, however, that the noble earl had given a very unfair representation of the first part of the negotiations at Verona, when he had inferred, from the questions put by the French plenipotentiary, that there had been previous conferences in which the principle of non-interference had been discussed, and had asked, whether the documents relative to those conferences would be produced? The communications on that subject were far anterior, and the view of his majesty's government had been clearly explained in a state paper drawn up by a noble marquis, now no more, in May, 1820. The noble earl next said, that it was strange we should have communicated to France all that passed between us and Spain, whilst France communicated nothing to us in return. But the government of this country made no mystery of its intentions with respect to Spain. It had nothing which it would shrink from avowing. The question of interference had not originally been raised by France, but by a paper published in 1820 by the emperor of Russia, and addressed to all the European powers. It was that document, and not any step on the part of France, which had called for the first expression of the sentiments of this country. She held no mysterious course, and her proceedings were so little matter of secrecy, that there was no step which his majesty's government took relative to Spain, that was not communicated, not only to France, but to all the other powers. They did not anticipate, however, that the affairs of Spain would become the prominent object of discussion at Verona. The noble earl thought it extraordinary that his noble friend should not, on the first starting of the question of armed interference in the concerns of Spain, have made a stronger remonstrance than he had done. But he contended, that the very first paragraph of his noble friend's note contained as strong a remonstrance as could be made. It must also be recollected that in the questions submitted by France to the congress, there was not one word about interference by force of arms. All the cases put were defensive and conditional. It might justly be said, that the measure of withdrawing the allied ministers from Madrid was an improper one, but yet it was neither armed interference nor war; and if their lordships' took this view of the subject, they would find that his noble friend had alluded to the principle, even more than he was called upon to do by the occasion. The noble earl had asked to know what had taken place in the conferences which had preceded the presentation of the three questions by the French plenipotentiary. The fact was, that those questions had been put in the very first conference, and when his noble friend had objected to the principle of interference, it was not to the interference of war—for it was not then thought of—but to that which threatened to withdraw the allied ministers from Spain. His noble friend had expressly stated in his note, that even to animadvert on the internal transactions of independent states, was inconsistent with the principles on which his majesty had always acted towards other nations. Here, then, was a protest made, not only against interference by force of arms, when it was not anticipated, but against mere animadversion on the internal transactions of Spain. The noble earl had been put in possession of the fullest information upon all subjects; and he was ready to meet the noble earl on the question, that every thing had been done which could and ought to be done, with respect to the principle of non-interference. The noble earl, it seemed, supposed him to have said, on a previous night, that ministers had received particular assurances of pacific intentions on the part of the French government. What he had said, was, that up to a late period the French government had stated, on every occasion, that it was desirous of avoiding war, if it could do so consistently with its honour and character. But he had never said, that he had any confidence in the preservation of peace. Upon this point he could appeal to his own words. He would produce an instance of that on the present occasion. He recollected well that on the first day of the session, he had said, that he did not consider "the door to be closed against an amicable adjustment of the differences existing between France and Spain." Did it appear from that expression that he felt confident that war would be prevented? The inference to be drawn from it was, that the hope of preserving peace was slender; but even then he clung to it, and he would have caught at a feather for the same purpose. Even after the speech of the king of France, he did not quite despair of seeing the tranquillity of Europe remain undisturbed. Sir C. Stuart, in his despatch from Paris, had stated, that there was a disposition on the part of the French minister to explain away the speech of his sovereign. He certainly had never expressed in that House, or elsewhere, any confidence in the preservation of peace; particularly after the speech of the king of France, in which he talked of marching 100,000 men into Spain. But he would state—and he hoped it would not be supposed that he meant to blame Spain by doing so—that to the present hour he felt convinced, that if there had been any pretext given to the French government to eat its words—to recede from the position which it had taken up—peace might have been preserved.—The noble earl had called for the production of two papers. But before he could state his determination, with respect to them, he must take a few hours to consider. The noble earl had contended, that, according to the treaty of Aix-la-Chapelle, the British government ought to have insisted that the king of Spain should be invited to attend the congress at Verona. That in his opinion, would have been a very unwise measure. In the despatches which the allied powers sent to their ministers at Madrid, the strong part of their case was, that the king of Spain was a prisoner. If the British government had done as the noble earl wished it to do, it must have led to a declaration that the king was in duresse. By protesting against any interference at all in the internal affairs of Spain, the British government kept the ground clearer than they could have done by bringing the Spanish government to the congress.

Lord *Holland* could not help declaring, that the noble earl had given a most unsatisfactory answer to all the questions which were put by his noble friend. The first question which had been put to the noble earl was, how it had happened, that we had communicated to France every thing we had done with regard to Spain, whilst France communicated nothing to us upon the same subject? Now, what answer did the noble earl give upon this point? He said, that we did not communicate our transactions with Spain to France alone, but that we also let the emperors of Russia and Austria and the king of Prussia into the secret. He must say, that such a proceeding was the wildest and most impracticable course of policy ever pursued by men in power. Upon the second point of inquiry; namely, why the British government had not protested more strongly against the principle of interference in the internal concerns of Spain, reference had been made to a despatch of the noble duke opposite. He could assure that noble duke, without intending an idle compliment to him, that whenever he found his name attached to any document of which he could not approve, he felt pain and humiliation; but he felt it his duty to declare, that papers more unbecoming a British minister than those which had proceeded from the pen of the noble duke, he had never had the misfortune to peruse. All that the noble duke had applied himself to, was, the question of expediency. He had uniformly expressed more commiseration for the party about to commit the crime, than for the party against whom it was about to be committed. Let their lordships look at the language of the noble duke. Speaking of the proposed interference with Spain, in his answer to the three questions proposed by the French government, he said, "such an interference always appeared to the British government an unnecessary assumption of responsibility, which, considering all the circumstances, must expose the king of Spain to danger, and the power or powers which should interfere, to obloquy, certain risks, and possible disasters—to enormous expenses, and final disappointment in producing any result." This was the way in which the noble duke spoke of the greatest crime which men in possession of power could commit. The explanation which the noble earl had given of the early proceedings at Verona, was most extraordinary. Could the noble duke mean seriously to declare, that after the declaration which Russia had issued, in order to drive on an aggression against Spain, he believed that the three questions which had been so frequently alluded to, had been put to him in contemplation of an aggression on the part of Spain against France? ["Hear," from the duke of Wellington]. Well, if the noble duke after what had passed respecting Naples, and after the perusal of the proclamations of Russia, would say, that he, in the simplicity of his heart, thought those questions were proposed in contemplation of an aggression on the part of Spain against France, he (lord H.) was bound to believe him; but he would pray, that the affairs of this country might never again be conducted by men who, like the noble duke and his colleagues, however, honest they might be themselves, were so little aware of the dishonesty of others. The noble earl had said, that he supposed the answer which he would give to the question which he (lord H.) had put to him, namely, whether this country was bound by treaty to prevent the union of the crowns of Spain and France, would prove the same as the reply which he had given on a former occasion. It certainly was not the same answer as that to which the noble earl had alluded; but it was quite as unsatisfactory. On the former occasion, the noble earl had declared, that the union of the two crowns was provided against by the treaty of Seville. And how? Why, because the treaty of Seville contained an article by which we guaranteed to the Spanish monarchy the integrity of their possessions; and it was supposed that this was tantamount to a stipulation that the king of Spain should never succeed to any new possessions. The noble earl, on the present occasion, stated, that he had no doubt that the general spirit of treaties which he and his colleagues had been negotiating for the last seven years, was in opposition to the union of the two monarchies. It should be recollected, however, that the basis of all those treaties was legitimacy, or what, in plain English, was called divine right. Upon the death of the duke d'Angoulême, and Monsieur, and the young duke de Bordeaux, the principle of divine right placed the crown of France upon the head of Ferdinand 7th. Coupling that fact with the events now going on in the world, and with the insatiable ambition which had always characterized the Bourbons of France, he thought it was not difficult to perceive the real intentions of the French government. After stating it as his conviction, that if it could have been anticipated at the time the Spanish constitution was framed, that the Bourbons would recover the possession of the throne of France, an article would have been introduced to prevent the union of the two monarchies, and expressing a hope that such an article might yet be introduced, the noble lord concluded by saying, that he should move for sundry papers on a future day.

The Duke of *Wellington* observed, in reference to the observations which had been made upon his conduct, that in his answer to the questions of the French government he had referred to the principle laid down by the late secretary of state in a document dated May, 1820, of non-interference in the internal concerns of other states. It was impossible to deny that that was the intention of the second paragraph of the answer commencing in the following words:—"Without adverting to those principles which his majesty's government must always consider the rule of their conduct, in relation to the internal affairs of other countries," &c. The principle was carried still farther in the answer which he had given, upon receiving the despatches which the allied sovereigns had resolved to send to their minister at Madrid. He had there declared, that to animadvert upon the internal transactions of an independent state, unless such transactions affect the essential interests of his majesty's subjects, is inconsistent with those principles on which his majesty has invariably acted on all questions relating to the internal concerns of other countries," &c. Now, he really did not know how he could have expressed the opinions of his government in stronger terms than those which he had made use of.

Lord *Ellenborough* gave notice, that he would on that day week submit a motion, which would afford their lordships an opportunity of expressing their opinion upon the conduct of ministers, in the late negotiations.

HOUSE OF COMMONS.

Thursday, April 17.

Roman Catholic Claims.] Sundry petitions were presented against the Claims of the Roman Catholics. Amongst others,

Sir *T. Lethbridge* presented one from the rev. sir Harcourt Lees of Dublin. The petition went to what he regretted to find was so much avoided by the advocates of the question; namely, the religious part of it, which was, in truth, its most important part. The hon. baronet then went through some of the details of the petition. They embraced a variety of topics, but the principal were what the petitioner described as the implacable disposition of the

Catholics against the Protestants and their antipathy to civil and religious liberty. The petition concluded by praying, that the House would institute an inquiry into the number of Papists and reputed Papists, their character, their property, chapels, convents, nunneries, colleges, and inquisitorial establishments, in this country.

Mr. *Luke White* denied that the allegations in the petition were true. Not one Catholic priest had appeared on the hustings during the last Dublin election. He spoke from his own knowledge of the Catholic clergy. They were a most exemplary body of men. If people were better informed regarding Ireland, its population would not be maligned and calumniated. A concession of the claims was not so much a boon to the Catholics, as a grant for the sake of the peace and security of the empire.

Mr. *Coke* said, he had a petition to present from several of the clergy of the diocese of Norwich in favour of the Catholic claims. He was happy to say, that the petition was signed by a greater number of clergy than a similar petition which he had presented last year. The petition last year was signed by 48, the present by 55. The petition was so beautifully worded, that he should move that it be read.

The petition having been read,

Sir *F. Burdett* said, he did not rise to declare his concurrence in the sentiments of the petition, which were so honourable to the parties from whom they proceeded, but to give utterance to his own feelings on this subject—to his own unqualified disapprobation of the annual farce carried on, year after year, for a great length of time, and conducive to no good purpose, and indeed to no purpose whatever, but that of sowing the seeds of well-grounded discontent in the minds of a large portion of the community. They had heard, not longer than two nights ago, from the former eloquent advocate of the Catholic claims, the secretary for foreign affairs, that there was not the least chance that the question would be carried in favour of the Catholics; then, if this was the case, why had that right hon. gentleman (Mr. Canning) consented to practise a deception upon the House and the country. Why had he employed himself in raising hope that was only to be deferred, and deferred only to be disappointed? Why had he contributed to irritate and excite the warm feelings of a generous people, only to plunge them still lower in the depths of grief and despair? Had he come forward so often upon this subject, merely because it afforded him a happy theme for the display of his rhetoric, or had he endeavoured to catch a breath of the fleeting gale of popularity, by affecting, in this solitary instance, to be the advocate of liberal principles? Some motive of this kind must have influenced the right hon. gentleman; because he well knew at the very moment he was vapouring in the cause of the Catholics, that his exertions must be utterly fruitless of all benefit, and become the fertile source of irritation and discontent. Notwithstanding this obvious truth—obvious by the event—the House had been repeatedly called upon to waste its time in useless discussion. The people of Ireland had again and again been excited to the utmost pitch of expectation; and again and again had they learned that their feelings had only been trifled with and insulted. Their rights had been enforced by the right hon. secretary in the strongest terms; their wrongs had been painted in the most vivid colours; but to their rights and to their wrongs, that quarter which it was most important to propitiate had been equally deaf. That the people of Ireland, with their feelings so called forth—with their grievances painted in such vivid hues—with their wrongs so held up in the eloquent language of the right hon. gentleman, in addition to their own sense of intolerable injustice, should not be tranquil, was matter of any thing but wonder. It was a little too much to trifle with the feelings of the people and with the tranquillity of Ireland, by uselessly continuing so painful an excitement. Far better was it at once to put an end to a hope of bettering their condition, far better was it that expectations should never be held out; that the system of Protestant ascendancy should never be relaxed from; that the Catholics should not have been led to struggle, without a chance of success. The right hon. gentleman had stated, that it was impossible the Catholic claims ever could be carried; for, he had stated, that it was impossible a government, or rather an administration, should ever be formed by which this question should be carried; and that, if it was possible to form such an administration, he, to accomplish it, would willingly leave office—his acceptance of which was the cause of all this compromise of the public safety. It was not true, as the right hon. gentleman contended, that no cabinet could be formed which should be decided in favour of the Catholic claims. An administration might be formed—an administration had been formed—the Fox administration. There was, indeed, a minority in that cabinet against the Catholic claims; but it was but a minority. That administration, too, had actually brought in a bill to carry their wishes into effect; which bill was only defeated by the want of good faith in a quarter where the present administration had no reason to expect it. Here a measure, which the ablest men of all parties had declared to be necessary to the safety and peace of the empire, was impeded by a ministerial agreement, while Ireland was more divided more distracted, and more wretched than at any other time—the effect of that impotent and scandalous system of policy, which sacrificed public principle to the love of place, and made a despicable compromise between eternal justice and private interest. The same odious motive had induced ministers only two nights ago basely to desert a public officer under accusation, who had attempted conscientiously to discharge his duty to the Catholic population. As to what was or what was not discreet in the particular case, he professed himself incompetent to judge. Swift had said long ago—that what might be true of other countries was not true with respect to Ireland. She was in a peculiar situation. Ordinary reasoning would not apply to her; and on this account he could not say whether the attorney-general of that country had exercised a sound or an unsound discretion. He would assert, however, that that right hon. gentleman, by the conduct pursued by his friends, who said they did not wish to afford a triumph to either party, had not been fairly, handsomely, nor even justly dealt with. Of the propriety of resorting to ex officio informations he had indeed some doubt; but the accusers of the attorney-general for Ireland had none: and as to the exercise of the power, if it were legal, there certainly never was a case in which it was more proper than when the object of it was to secure justice—which in that instance was protection—to the great mass of the people of Ireland. If his friends would not hold before him a shield to ward off the impending blow, the inference was, that the blow was aimed with justice.—In bringing forward their claims that night, he thought the attorney-general for Ireland was not doing a service to the Catholics either of England or Ireland. With ministers—at least with such of them as opposed the claims—and with the enemies of concession generally, it was not a question of politics or religion. It had nothing to do with danger in their view of it. They looked at it merely as a matter of arithmetic and interest; and they resisted the admission of the Catholics, because they would not have another party come into competition with them, to dispute and share the emoluments of office. Did any man believe that, in the year 1823, there existed any honest prejudices, any serious and real apprehensions of danger to the state, from the admission of the claims of Catholics? Did any man now fear a Catholic league of hostile sovereigns? The once terrible triumvirate of the pope, the pretender, and the devil, was at an end. No man now disputed the title of the house of Brunswick to the throne. No man believed that popish plots were now in concoction; or, at least, no one but the hon. member for Somersetshire (sir T. Lethbridge), who believed that a desperate scheme was on foot among the Jesuits. The notion seemed so idle and so foolish, that it was not wonderful the hon. member should be singular in his opinion. There was no pretender. The pope himself was out of the question. He was now considered as harmless as any old woman in Christendom. Any man who now entertained apprehensions on this score, would stand a chance of having his fellows laugh in his face; if indeed they did not spit in it. The man who could believe in such dangers, must be just the person to believe in the long-exploded doctrine of the existence of ghosts and witches—must be ready to sally forth against some unfortunate old woman, to draw blood, in order to defeat a charm, as had been proved in a recent case, which, by the by — and it was rather a remarkable coincidence—occurred in Somersetshire. This accounted, perhaps, for the dread of the hon. baronet, on the score of the plotting Jesuits. But, the right hon. member for Oxford (Mr. Peel) had, he was sure, a mind too enlightened to be imposed upon by such childish apprehension. He (sir F. B.) was ready to rest the issue upon this: if the right hon. gentleman would place his hand upon his heart, and solemnly declare that he saw reason for any fear of the kind, he would consent to abandon the cause of the Catholics. But, was there no danger of a different description? Was there no danger to the state from having the feelings of nine-tenths of the people of Ireland wrought up to a ferment of anxiety and hope, only to be disappointed? On this ground there was much to answer for. Ample cause had been given to the people of Ireland for all their discontent and irritation. That such had been the intention he would not say: parliamentary forms would not allow him to make the charge, even if he felt it: but the effects spoke unequivocally and loudly for themselves. Year after year redress had been promised, but promised only to be withheld; and the Irish had at last been goaded and driven to acts of violence against those whom they had been taught to believe their oppressors. He left the Catholics of England out of the question, who had been treated even with greater severity. To the Irish Catholics some concession had been made; for danger had extorted it. To the English Catholics no relief had been given, not an iota of concession had been made. The safety of England could not long continue, if nine-tenths of the population of Ireland were allowed to remain in the state that they now were, oppressed and beaten down by the remaining one tenth. The House had been told that it was an impartial lord-lieutenant, as rare almost as a black swan, and an impartial attorney-general, still rarer—and whom some part of the cabinet thought a black sheep—who had excited all the fermentation now existing in Ireland, by their endeavours to protect their fellow-countrymen from the wrongs under which they had groaned for so many years. To those who used such language to the House he would reply, that the fermentation thus excited would not subside, so long as the country was governed by an administration of nicely-balanced equilibrium—an administration which compromised all important public questions—an administration which exposed Ireland to the greatest dangers, by obstinately rejecting the claims of nine-tenths of her inhabitants, at the same time that their justice was admitted by those members of it whose talents and abilities gave them the greatest influence with the public—an administration which would be broken up, the first moment that the question of Catholic emancipation was once fairly brought forward by any individual member of it. It appeared, that all considerations were minor to that of preserving an equilibrium in the cabinet; and that the balance of power there was most anxiously regarded, though the balance of power in Europe was entirely lost sight of. Under an administration composed of such discordant materials, it was quite impossible, that the country should ever flourish; for, though there was vigour enough in the country to enable it to struggle through the difficulties in which it was at present involved, still the imbecility, the blindness, and positive impotency of the existing administration to attempt, much less to execute, any act of generous and manly policy, if they could not ruin, nevertheless deprived the nation of all the advantages which it would otherwise derive from its great energies, mental, physical, and bodily; clouded all the prospects which the talents and abilities of its inhabitants opened to themselves; and rendered inefficient all its capacities for wealth, power, and happiness, though they were superior to those which any other nation ever possessed.—Having taken that opportunity of protesting against this annually-repeated farce, he should now proceed to justify the course which he intended to take that evening, by the opinion of a right hon. gentleman delivered in a tone of eloquence with which he could never hope to vie, and who went far beyond him, in applying weighty and forcible language to what he thought; and which would be the best justification of the line of conduct he meant to adopt, which he would now declare was, to take no part in that farce concerning the Catholics which the House was that night to be called on to perform. In speaking thus of the proceeding, he meant to say nothing in disparagement of the measure; which was one indeed which no minister ought to propose—which no minister should attempt to bring forward—unless he was sure of carrying it through—and which if he regarded it of the paramount importance, which he (sir. F. B.) did, no minister would ever move in without staking his place on the issue, and saying, "Here is a motion, which, if not carried, will be pregnant with the utmost danger to the state; because the ability with which it will be treated, and the eloquence with which the injuries of an oppressed nation will be depicted, cannot fail to produce an excitement, which can receive no mitigation from the arguments of its opponents, since no answer can be given to the case which will be made out, save that which rests on vague fears and groundless apprehensions." The opinion to which he alluded was contained in a speech delivered in that House on the Catholic question by a right hon. gentleman, on the 25th of Feb. 1813. He had often heard that right hon. gentleman address the House with great power and effect; but he had never heard him address it with greater power and effect than he had employed upon that occasion. He begged the attention of the House to the words which the right hon. gentleman (Mr. Plunkett) had then employed. They were as follow:

"But how can any honest mind be reconciled to the ambiguity in which the cabinet has concealed itself from public view on this great national question; or with what justice can they complain of the madness which grows out of this fever of their own creating? This is no subject of compromise. Either the claim is forbidden by some imperious principle, too sacred to be tampered with, or it is enjoined by a law of reason and justice, which it is oppression to resist. In ordinary cases, it sounds well, to say that a question is left to the unbiassed sense of parliament and people; but that a measure of vital importance, and which has been again and again discussed by all his majesty's ministers, should be left to work its own course, and suffered to drift along the tide of parliamentary or popular opinion, seems difficult to understand; that government should be mere spectators of such a process is novel; but when it is known that they have all considered deeply, and formed their opinions decidedly, in direct opposition to each other; that after this they should consult in the same cabinet, and sit on the same bench, professing a decided opinion in point of theory, and a strict neutrality in point of practice; that on this most angry of all questions they should suffer the population of the country to be committed in mutual hostility, and convulsed with mutual rancour, aggravated by the uncertainty of the event, producing on the one side all the fury of disappointed hopes, and on the other side malignity and hatred, from the apprehension that the measure may be carried, and insolence from every circumstance, public or private, which tends to disappoint or postpone it; one half of the king's ministers encouraging them to seek, without enabling them to obtain; the other half subdivided; some holding out an ambiguous hope, others announcing a never-ending despair. I ask, is this a state in which the government of the country has a right to leave it? Some master-piece of imperial policy must be unfolded, some deep and sacred principle of empire, something far removed from the suspicion of unworthy compromise of principle for power, to reconcile the feelings of the intelligent public, or to uphold a rational confidence in the honesty or seriousness of the government. The consequences of such conduct are disastrous, not merely in the tumult and discord which they are calculated to excite, but in their effect upon the character of the government and the times." The hon. baronet, after reading this extract, sat down, amidst loud and long continued cheering.

Lord *Nugent* rose, and was proceeding to express his admiration of the speech of the hon. baronet, and the impossibility he felt of acting with him by quitting the House at the present moment, when,

Mr. Secretary *Canning* said, that he would not have presumed to interrupt the noble lord, had it not been for the resolution which the hon. bart. had just announced of leaving the house immediately. He wished to contradict flatly and in toto, in the hon. baronet's presence, the words which the hon. baronet had imputed to him, whilst he had been accidentally absent from the house.—Seeing the hon. baronet resume his seat, Mr. Canning sat down, notwithstanding a loud call of the House for him to proceed,

Lord *Nugent* then went on. He could not refrain, he said, from expressing his hearty concurrence in all the general reasoning of his hon. friend; but he must at the same time express his decided opinion, that the course he was about to pursue would be highly injurious to the cause of the Catholics. He trusted that his hon. friends would not, like the ministers, neglect their duty to the Catholics, and allow them to be beaten in a division. Whatever might be his opinion as to the conduct of ministers, he would not now express it. He would simply state, that as long as this question was brought forward—no matter from which side of the House—no matter whether the ministry was strong or feeble, firm or vacillaing—so long should he be in his place, ready to support with all his humble abilities that emancipation, which was demanded no less by sound policy than by imperious necessity.

Mr. Secretary *Canning* begged pardon of the noble lord for the interruption which he had given him; but having understood that the hon. baronet during his absence had brought an unfounded charge against him, he was desirous of giving it a positive denial before the hon. baronet left the House. The hon. baronet, he understood, had stated him to have said three nights ago, that he considered the success of the Catholic question as hopeless. Now, he begged leave to declare that he had never said any such thing—that he had never thought any such thing —and that he was conscious, after appealing to his judgment and to his recollection, that he never had used the words which the hon. baronet had imputed to him. What he had said was, to the best of his recollection, this—that he thought it hopeless, in the present state of the country, and of this, and the other House of Parliament, to form an administration which should agree upon this measure, and upon all other general measures, so as to be able to carry on the business of the nation. If any persons imagined that such a declaration was equivalent to a declaration that he thought that this question could not be carried without its being made what was technically called a government question, all he wished to have recollected was, that it was not he who had promulgated such an opinion. If any persons said, that the success of this question was hopeless, unless it was made a government question, let it be borne in mind, that it was their proposition, and not his. To whatever contradiction or refutation it might be liable, his proposition was—that the forming such an administration, as should coincide in their views upon this and all other public questions of importance, was, in the present state of the country, perfectly hopeless. He had always thought; nay, more, he had repeatedly said, that this question would make its way under any government which did not actually unite or openly set its countenance against it. That he had ever maintained that, with a government united in its favour, it could not be carried, was an absurdity too glaring to require from him any contradiction. He again repeated, that he believed the question had been making its way. It might, however, receive its death-blow from the secession which had been threatened that evening; but, if it did so fail, on the heads of the seceders alone let the blame of its failure be thrown! With respect to the observations which had been made upon his own conduct, he would take the liberty of observing, that both in and out of office, but more especially whilst out of office, had he done every thing in his power to promote the success of this great cause. In the year 1812, when he was connected with no party in the state, and had nothing to do with any of the arrangements of ministers, he had brought forward this question in such a form as to obtain for it the first majority which it had ever obtained in parliament. Again, last year, when he was also a private individual, and was standing aloof from either of the two great parties into which the nation was divided, he had brought forward a partial question connected with the subject, and had had the good fortune of procuring for it the approbation of that House. If they asked him whether he had ever entertained any sanguine expectations of getting it through parliament, he would reply by stating, that the first question which he had brought forward had been lost in the other House of Parliament only by a majority of one, though it had been there brought forward by a nobleman totally unconnected with the administration of the day. They would all recollect what had been the fate in the same place of his more recent proposition. He would therefore ask them, whether there was any sufficient reason for him to despair that this great national question, which was gradually working its way in the public mind, by the sound argument and fair discussion to which it was subjected in that House, would ultimately arrive at a prosperous issue? His belief was, that it might succeed, nay, that it absolutely would succeed. But, whether it was to come to a successful issue or not, this he would say, that there was not a man in the House, let his general politics or opinions be hostile, or favourable to government, to whom, if he brought forward this subject, either wholly or in part, he would not give his unqualified support—differing in that respect most widely from the hon. baronet, and calling for no stipulations whatever from any gentleman who voted with him. It would be idle, after the acclamations with which the hon. baronet's threat of secession had been received, to say that the chances of success for this question were not diminished. They certainly were so; and though he should vote with his right hon. friend that evening, if he brought forward his motion, he must say, that he did not expect to find their names in the majority. Indeed, so great a prejudice appeared to have been excited against the measure, that he could almost advise his right hon. friend not to bring it forward on that evening.

Mr. *Tierney* wished to stand clear of the fearful responsibility which would fall on the heads of those who occasioned the failure of the hopes of the Catholics. Like the right hon. gentleman and his noble friend, he would say, that let who would bring forward this great measure it should have his support. Convinced, as he was, of the rectitude of the course which he had hitherto pursued, it was not any difference of opinion among either its friends or its foes, that should induce him to swerve from the line of conduct which he had hitherto adopted, from a conviction that it was necessary to the welfare and to the security of the British empire. Having said thus much, he begged permission to add, that, in all the general reasoning of the hon. baronet he most cordially concurred. He should certainly give his vote in favour of the motion of the right hon. gentleman; but, in doing so, he must press his opinion that all hopes of success in it were at an end. Who it was that had destroyed the hopes of the Catholics, and turned them into despair, an impartial public and a still more impartial posterity would hereafter decide. He felt it to be a mockery, to come, year after year, to the discussion of a subject, of which the success, whatever it might once have been, was now, in substance, acknowledged to be hopeless. In making that observation, he begged leave to state his belief that the right hon. gentleman opposite had quoted very correctly the words he had made use of on a former evening; but the impression which those words had left upon his mind was the same as had been left upon that of the hon. baronet by the words which he had supposed the right hon. gentleman to have used. He did understand that the right hon. gentleman had concluded, that all hopes of succeeding in this cause were idle, unless an administration could be formed, of which all the members were friendly to it. That was the inference which the House had drawn from his expressions.

Mr. *Canning*.—I did not mean it, nor do I think such an administration necessary.

Mr. *Tierney*.—Whatever the right hon. gentleman might think, the question never would be carried unless an administration was formed that would take it up fairly, honestly, and sincerely. It was not a new question, but one that had been debated for many sessions as regularly as the year came round. The year 1805, when Mr. Fox proposed it to the House, was the first time that it ever occasioned serious debate in this country; and he would ask them whether, after all the experience which they had since had of the opposition with which it had been received in another place, they could hope to carry it, unless government interfered actively in its behalf? He was aware that the question had been carried in that House; but what good was there in that, if the influence of government was not employed in carrying it elsewhere? The right hon. gentleman had asserted that it would be impossible to form a cabinet the members of which were all friendly to Catholic emancipation. He thought differently; and he would state the reasons why. How stood the Catholic question when the right hon. gentleman carried his bill. First of all, there was a new reign. That was an important circumstance in its favour; for he might say, without any disrespect to the memory of our late revered monarch, that his prejudices on the subject were so strong, such a bias had been infused into his mind by artful and designing men by whom he had been surrounded, as to lead him to declare that, even if both Houses of parliament were to pass a bill for the emancipation of the Catholics, he would employ the privilege which the constitution gave him, unusual as the exercise of it was—in modern times—and would put his royal veto upon it. Under such circumstances, it appeared to him, that gentlemen might take office without making any stipulations in favour of the Catholics; and he had stated, that he considered both the right hon. gentleman himself and a noble lord, now no more, justifiable in so accepting it. The difficulty, however, which arose from the reluctance of the sovereign, was at length removed; and the crown devolved upon a sovereign whose mind was at least open upon the subject; who had expressed no decided opinion upon it; who was supposed to be more friendly than adverse to it; and who, at any rate, appeared to be open to conviction. At the same time, there was a House of Commons in which the majority had expressed opinions in unison with the mover of the question. Such being the case, was it too much to say, that there was every reasonable ground for hoping for success? What came next? The defeat of the measure in another place. The right hon. gentleman stated, that he had always been a strenuous advocate for Catholic emancipation. He allowed that the right hon. gentleman had been so. No man was more willing to do justice, either in public or private, to the splendid exertions which the right hon. gentleman had made in that cause. He admired the warmth, the acuteness, the apparent sincerity (and he had no reason to believe that it was not real and heartfelt) with which the right hon. gentleman had always given his great talents to its furtherance. The attorney-general of Ireland—if after what had lately happened he still remained so—had also exercised his abilities with unparalleled success in the same field. But unfortunately they could not keep themselves out of office. They went into office, and, what was the consequence? why, that instead of being led on to victory, against a weak and dispirited foe, by able and experienced generals (cheers), they had allowed the question to sleep altogether except as to one very wise act of the right hon. gentleman opposite. Though the right hon. gentleman might again and again urge the impossibility that there was of forming an administration that should be friendly to the Catholics, he really could not see in what that impossibility existed. He had no doubt that, in the paucity of talents possessed by those who took an adverse view of this great question if the right hon. gentleman opposite had continued firm, and had said, "We cannot support the administration, if the administration will not support concession to the Catholics," the other party would have given way, and would have agreed to take them upon their own terms. Had the character of the administration been so distinguished for its want of pliability as to justify a contrary conclusion? Did lord Liverpool, with all his manœuvring, never think of any purposes but those which tended to the benefit of the state? Did a certain great lawyer who presided in another House, display so much obstinacy of purpose, so much unwavering determination of disposition, as to lead hon. members to suppose that he would have turned a deaf ear to such convincing arguments if offered to him? Did the right hon. gentleman himself suppose, that after the public adieu which he had taken of office, he would now have been in that House, if his services had not been wanted? Did he think that he had been recalled from any return of soft affection after that adieu, which was given so sweetly, as to remind him of the pastoral poet,

> "So sweetly she bade me adieu,
> "I thought that she bade me return."

Could it be believed, that if the attorney-general for Ireland, with his splendid talents, had said to the two noblemen to whom he had, just alluded you shall not, have the support of my speeches in the House of Commons to your measures, unless you give me the support of your votes to my speeches on Catholic emancipation," they would have been proof against so powerful a bribe? Could any man in his senses have a doubt upon that point, who recollected the wholesale bargain, by which a party (whose numbers were acceptable to lord Liverpool, whatever their eloquence might be) had been taken into the cabinet without any stipulation whatever? [A voice on the opposition side exclaimed, "except a dukedom."] That very party, too, though it now condescended to form part of a cabinet in which the majority was hostile to its wishes, having formerly warmly advocated the cause of the Catholics? He was sure that if the right hon. gentleman had acted the fair and honest part which he had pointed out, the question for that evening would have been, how they should modify the details of concession, the principle being fully admitted. Such a prospect, however, was now completely at an end; and why the question was brought forward at all, he could not clearly understand. He had supposed, and the supposition was at one time very general, that when the present lord-lieutenant and attorney-general of Ireland accepted office, it was upon a stipulation that the claims of the Catholics should be conceded to them. Indeed, during the course of last year he had put that question to the right hon. and learned gentleman, and had told him that, if it were so, he would follow him as far as he could through all his other arrangements. The House must guess his astonishment, when he heard from the right hon. gentleman that no such stipulation had been made, that there was nothing substantial in the arrangement—except office. Instead of being brought forward under favourable circumstances, the question was to come forward under every possible difficulty and disadvantage. Did the right hon. gentleman succeed? The result was, that he excited to still greater irritation a gang of individuals who, as he himself described them, were so disaffected to the measure, that they were willing to hang together, if they could only prevent its being carried into execution. Did he fail? Under such circumstances, the Catholics must feel that their interests had been trifled with; and, so feeling must be reduced to despair. Such was the melancholy crisis in which Ireland now stood. He should give his support, as he had hitherto done, to this great question, if the right hon. gentleman should persist in bringing it forward; but, if he were asked whether he thought he was forwarding the cause by so doing, he should decidedly answer "no," seeing that those to whom he had been accustomed to look up for support to it had yoked themselves to the chariot wheels of lord Liverpool and the chancellor. In making these observations, he did not mean to throw out any insinuation against the secretary of state for the home department. The language and conduct of that right hon. gentleman upon this subject had been consistent throughout: and to whatever compromise of principle others might have consented, he believed that that right hon. gentleman had consented to none. The conduct of others, however, was not so praiseworthy; and the consequence was, that at the present moment, the government was decidedly hostile to the Catholics. He had heard it indeed said, that, at the time when the last junction was completed, it was stipulated by the leader of one of the parties, that he and his followers should be permitted to speak and vote on the Catholic question as they hitherto had done; that the permission which was then graciously extended to them was conveyed in these words—"individually you may vote as you like, and speak as you like; for we have little to fear from your eloquence, though you have much to fear from our votes." He did not mean to impute to the right hon. secretary for foreign affairs that he was one of that party, certainly not; for, at the time of that junction, the right hon. gentleman was perfectly disinterested on the subject, and believed himself engaged for another destination. He now left it to the right hon. and learned gentleman to decide whether he would, under all the circumstances which had recently occurred, bring forward his motion that evening. If the right hon. gentleman should determine to press the subject on the House, he would wait to give his vote, if God gave him strength, to whatever hour the division might be protracted. If, however, the right hon. gentleman should think proper to withdraw it, he would express no opinion on his conduct, but would simply enter his protest against its being imputed to his side of the House, that they had given up the Catholic question. The right hon. and learned gentleman was responsible to the Catholics for the course which he should now pursue. His (Mr. T's) opinion was, that the Catholic question, if lost, had been lost through some gentlemen who had shown too much an eagerness to get in power. He was prepared on this, as on all former occasions, to vote in favour of a question upon the success of which depended the stability of the empire; though he could not indulge a hope that there was the slightest prospect of carrying that question.

Mr. *Wynn* thought, that the charge of inconsistency came with an ill grace from the right hon. gentleman who had last spoken. He disliked the replying to any charge with a *tu quoque*. If the right hon. gentleman had been inconsistent, that fact would not excuse inconsistency in others; but it was right to remind the House that the right hon. gentleman who now spoke so loudly of inconsistency in others, had accepted office under an administration which had come into power upon the express principle of opposition to the Catholic claims. For himself he declared that his great object in coming into office had been to serve the interests of the Catholic body; and, if he had believed that the refusing office, instead of accepting it, would have aided that object, the refusal would not have cost him a moment's hesitation. One stipulation, distinctly, upon which he had come into office was, that attention should be paid to the government of Ireland, and to the impartial administration of justice to the

Catholics; and that pledge had been redeemed, for Ireland had at length received the advantage of a conciliatory and impartial government. He should be always ready to support the great question of concession, whenever it came under the consideration of the House.

Mr. *Grey Bennet* said, that ever since he had sat in parliament he had uniformly supported the Catholic question; but so convinced was he now of the inutility of debating it, that he should positively take up his hat and leave the House if it came on. He had hitherto supported the right hon. and learned gentleman, because he believed that he advocated the cause with sincerity. But he now thought the affair was a perfect trick; or what, in familiar language, was called a humbug. It was not by fine speeches and by honied words—which no one could use better than the attorney-general for Ireland—but by actions, that the cause of the Catholics was to be served. He had heard the learned gentleman make the very speech alluded to by the hon. baronet; and yet he now saw him sitting on the Treasury Benches, acting with a government hostile to the question. He would tell the learned gentleman to his face, that he doubted his sincerity. Where was the utility of bringing forward the question when it was known that, even if it were carried in one House it was sure to be lost in the other? He would not be a party to exciting hopes which were not to be realised. He would not be a party to the farce of bringing on a debate upon the question; he would not put himself in the same cart with the set of comedians who were to act it. He objected to the annual showing-up, as it might be called, of the grievances of the Catholics; to the sessional unavailing motion of the learned gentleman, and others of his stamp. The only hope of the Catholics must rest upon the dissolution of a body of ministers, whose sole object—no matter at what expense—was the keeping of their places.

Mr. Secretary *Peel* said, that after what had fallen from the hon. member for Westminster, he found himself compelled to address the House. He would be brief in his observations; but what he said, he wished to address to the hon. member for Westminster particularly. The hon. baronet had insinuated a doubt of the sincerity of his opposition to the present motion: he had insinuated, that the fears which he professed to entertain for the success of that motion were not only groundless but pretended. What right had the hon. baronet to make such an insinuation? The hon. baronet had a right to blame the conduct of members, to attack their opinions, to expose their arguments, to treat their opposition to the Catholic claims as an opposition to the best interests of the country; but how was it consistent with the hon. baronet's general principles of toleration, to give no credit, even for sincerity, to the opinions of his antagonists, and to arrogate propriety exclusively to himself? And the hon. baronet, by way of bringing the matter to a test, had asked him (Mr. Peel) to answer one question—Was he really afraid of the pretender, the pope of Rome, or the Devil? as if an answer to that question could explain the grounds upon which he founded his opposition to the claims of the Catholics. If his right hon. friend near him persisted in bringing forward his present motion, he should be ready to repeat his confirmed objections against it; and when he had done so, let the hon. baronet treat those objections with what severity he pleased; but until then, let the hon. baronet keep to himself his doubts of his sincerity. He protested that he would rather submit to eternal exclusion from office—and perhaps he should consider that as no very great sacrifice—than consent to hold power by the compromise, or by any thing approaching to the compromise, of an opinion. And, by what right were imputations of such a nature cast upon him? With what variation from principle could he at any time be charged? From the earliest period of his political life, caring nothing for the opinion of friends—caring nothing for the opinion of the people—he had uniformly opposed the concessions to the Catholics.—He was sorry to be compelled to take up the time of the House, but he felt bound to notice one or two observations which had fallen from his right hon. friend (Mr. Wynn). On his late return to office, he had claimed for himself the privilege of acting precisely as he should think fit on the subject of the Catholic claims; at whatever time, and under whatever circumstances, those claims might be brought forward. Finding the marquis Wellesley appointed to the lord-lieutenancy and his learned friend near him, to the situation of attorney-general, he had seen no reason for refusing to co-operate with them; but, as for six years previous to those appointments he had held the post of chief secretary for Ireland, it was impossible for him, consistently with his own honour, to acquiesce in the observation of his right hon. friend (Mr. Wynn), that, at the time of those appointments, a pledge had been given to the Irish for a just, impartial, and conciliatory government. He could not but take that observation of his right hon. friend as conveying an imputation upon himself, and upon the honourable persons with whom, while secretary for Ireland, he had acted. He was perfectly aware of the effect which his known opinions would have upon the people of Ireland. He knew that it was impossible for any man to hold such opinions and to fill the situation he had filled, without being exposed to ill feeling and to misrepresentation. His constant object in Ireland had been a fair administration of the laws as they existed; and he challenged the country to produce any instance in which, while he had held office, an impartial administration of those laws had been denied.

Mr. *Wynn*, in explanation, disclaimed the intention of casting any imputation, personally, on his right hon. friend; and, if he had even formed any opinion unfavourable to his right hon. friend, the manner in which he had co-operated during the last twelve months in the plans for the amelioration of the Irish government, would have convinced him that no man was more ready to promote those beneficent measures than his right hon. friend.

Sir *F. Burdett* thought that the right hon. secretary was somewhat nice in his objections. For ministers to be charged with insincerity in that House, had been no very extraordinary occurrence. But what he had said would rather have amounted to an admission of the right hon. secretary's sincerity; for he had offered to rest the issue of the debate upon the right hon. gentleman's own statement of the danger that would arise from the concession of this question.

Mr. *Brougham* trusted that the House would pardon that anxiety which induced him to trespass upon its indulgence. It had not been his good fortune to be present at the earliest period of the somewhat premature discussion in which the House was engaged; but he was so impressed with the paramount importance of the subject which stood for discussion; namely, whether there should be an end now, at once, and for ever, to the —— [Cries of "No, no," interrupted the learned gentleman before he concluded his sentence.] He confessed that he was cheered greatly by the negative which had just been, in something of an irregular manner, administered; because he was delighted to find that the immediate danger which he had apprehended, was not likely to arise—that the question was upon the point of being given up, just at the moment when it was about to be brought forward by the attorney-general for Ireland. Advice had been administered from different parts of the House to the right hon. gentleman, to abandon his intention of proceeding; but he rose to protest against being supposed to concur in any such recommendation. He was anxious that the attorney-general for Ireland should bring forward the question; agreeing at the same time in a great deal which had been said on his (Mr. B.'s) side of the House, and in almost every thing which had fallen from his right hon. friend (Mr. Tierney); and having the worst possible opinion—which he did not now express for the first time —of the conduct of those, who, in substance — and he arraigned them for so doing in substance—abandoned their duty to the question; who, not taking example by the single-hearted, plain, manly, and upright conduct of the right hon. secretary for the home department, who had always been on the same side of the question, never swerving from his opinions, but standing uniformly up and stating them—who had never taken office upon a secret understanding to abandon the question in substance, while he continued to sustain it in words — whose mouth, heart, and conduct had always been in unison upon the question—he wished that that conduct had been followed by all those on his side of the question, and then he should not have found himself in a state almost bordering on despair, with regard to the fate and fortune of the Catholic claims. He said, let the conduct of the attorney-general for Ireland have been what it might; let him have deviated from his former professions or not; he did not say that the learned gentleman had done so, but he would assume the fact: still, let the right hon. secretary for foreign affairs have come forward at that critical moment for the question, and for his own character, when the point was, whether he should go to India, into honourable exile, or take office in England, and not submit to his sentence of transportation, but be condemned to hard labour in his own country —doomed to the disquiet of a divided council — sitting with his enemies, and pitied by his friends — with his hands chained and tied down on all those lines of operation which his own sentiments and wishes would have led him to adopt —let it have been at that critical moment, when his fate had depended upon lord chancellor Eldon, and his sentiments upon the Catholic cause—if at that critical moment he who had said on the last night that he would not truckle to a noble lord (Folkestone), but who then had exhibited a specimen, the most incredible specimen, of monstrous truckling, for the purpose of obtaining office, that the whole history of political tergiversation could furnish——

Mr. Secretary *Canning*, I rise to say, that that is false.

The *Speaker*, after a perfect silence in the House during some seconds, said in a low tone, that he hoped the right hon. secretary would retract the expression he had used. An individual of his high rank and station could not fail to be aware, that such an expression was a complete violation of the customs and of the orders of the House. He deeply regretted that, even in haste, it should have been used.

Mr. *Canning* said, he was sorry to have used any word which was a violation of the decorum of the House ; but nothing—no consideration on earth—should induce him to retract the sentiment.

The *Speaker* said, that the duty imposed upon him was a difficult one—one which admitted neither of compromise, nor of pause for consideration. So circumstanced, he was not only justified in calling, but bound to call, upon the House for its assistance. It was not for him to remind the members of that House of their duty. Every gentleman who heard him, knew what was the proceeding which upon similar occasions the House had found itself driven to adopt. Was it possible that he could have mistaken the words? Or would the House deny their support to him if he should require the right hon. gentleman, who had used expressions which no member could on any occasion with propriety use, to say whether or not he was ready to recall them.

Mr. *Canning* said, he was ready to acknowledge, that, so far as the orders of the House were concerned, he was exceedingly sorry that any conduct or expression of his should have attracted their displeasure. But, if he was to be required to recall his declaration, by an admission that his impression was erroneous as to the expressions which had been applied to him, he could not in conscience do it.

The *Speaker* said, that in calling on the House to assist him with its advice, he hoped it would not be supposed that he was not perfectly alive to any infringement of its orders. He did so because he hoped and expected to be supported in exerting his authority to restore order, not merely in reference to a casual interruption, but in substance.

The *Chancellor of the Exchequer* said, there could be no question but that the language made use of by his right hon. friend, was language which, unquestionably, was unfit for any member of that House to apply to another. He would ask the hon. and learned gentleman to consider for a moment the language which he himself had used; and he was sure he would at once see that it would not have been borne by one gentleman from another. The hon. and learned gentleman unquestionably expressed himself with extraordinary eloquence; but he had also expressed himself occasionally with an extraordinary degree of warmth. And for his own part, he must be allowed to say, that had the terms which had been used towards his right hon. friend been so applied to him, conveying, as it appeared to him, the severest reproach, not merely as it regarded his character as a minister of state, but in a sense which, must be applied personally, he did not see how he could have abstained from giving utterance, in language more or less measured, to the impressions which would have been made on his mind. The hon. and learned gentleman would be doing nothing inconsistent with his honour as a man, or as a member of that House, if he would enable his right hon. friend to retract the language he had used, by admitting that the expression he had made use of was not intended to convey a personal insult.

The *Speaker* said, that when he had requested the assistance of the House, he had done so in the expectation of receiving its support in restoring order. He was happy to find that the right hon. gentleman had discovered an instance of in-attention in his (the Speaker's) conduct which would facilitate that object. [" No, no."] He did not say this with any feeling of regret on his own account. He was most thankful for the assistance which this intimation afforded him, because a great difficulty in the way of adjusting this painful circumstance was removed, by attributing a portion of the blame to himself. It appeared to the right hon. gentleman, that the language used by the learned gentleman was not applicable to the right hon. secretary of state in his public capacity; but could only be applied to that right hon. gentleman personally. It was this declaration which facilitated that which must be the desire of the House. Unquestionably, it would have been his duty to check the learned gentleman, had that been the case. If the words used by the learned gentleman were capable of any such construction, he could have no hesitation in calling on the learned gentleman to explain or recall them.

Mr. Brougham being called on, was about to address the chair, when

Mr. *Tierney* rose to order. His learned friend had been called on to explain, after an interruption of a most irregular kind, in which the term "false" had been applied to what he was saying. Now, certainly, the proper course to have taken, would have been to move that the words be taken down, after which the right hon. gentleman could have called on his learned friend for an explanation of them. But surely there was an end of every thing like debate, if, in the progress of a sentence, and before the conclusive sense could be ascertained, any member were allowed to interrupt another, by so strong an expression as that of declaring that what he was saying was false. Until the right hon. gentleman had retracted that expression, he could not, by the forms of the House, be entitled to require that explanation. Were he in the right hon. gentleman's place, he should feel no difficulty in withdrawing the expression, in order to give his learned friend an opportunity for explaining in what sense he meant to use the words which had led to the interruption.

The *Speaker* said, he had understood the right hon. secretary to say, that, though the words might be recalled, the sentiment could not be retracted. The chancellor of the exchequer was of opinion, that the expression was applicable personally to his right hon. friend, and could not be applied to his public conduct. In his own opinion, the words were only to be applicable to the right hon. gentleman in his official capacity. If he was not mistaken, the right hon. gentleman refused to withdraw the term "false," words under the supposition that the words were applied to him personally; and, from these circumstances, he thought he perceived a way for the House to get clear of this disagreeable affair, by ascertaining the precise intent of the words which had given occasion to the offensive expression.

Mr. *Canning* said, that after mature reflection, with every possible respect for the orders of the House and the dignity of the chair, and being quite prepared to submit with perfect humility to any censure which the House might pass upon him, he was compelled to declare, that he could neither recall nor vary the expression he had made use of.

Lord *A. Hamilton* said, that the orders of the House were so clear upou cases of this nature, that he thought it impossible for any thing short of absolute madness to prevent the parties from coming to a better understanding. If the expressions of his learned friend were objectionable, there was an orderly and convenient mode of coming at an explanation. Had that mode been allowed, his learned friend could not have hesitated to have given such an explanation as would have satisfied the House and the right hon. gentleman. But, when the orders of the House were so directly violated as they had been in this case, it became the duty of the chair, and of the House, to mark where was the first violation; and when the party who had violated the orders in the first instance, had so explained his conduct as to put him once more fair with the House, then it would be proper to call upon the author of the offensive language to explain or modify it. Now he felt that he had one course to take. It was a course perfectly consistent with those orders, which he trusted, the House would always continue to preserve. He must, in conformity with those orders, call upon the chair to say who had been the first violator of those orders. It would then be the duty of the House to give their support to the chair in calling upon that first violator of their orders to retract. That being done, it would then follow as the next duty of the House, to require the second violator who had given the first supposed cause of offence, to satisfy the House, and the member who felt himself aggrieved, as to the import of his words.

Mr. *Bankes* thought that the noble lord was mistaken in supposing that the Speaker had not already performed that duty which the noble lord had called upon him to perform; for he had already called on the first violator of the orders of the House to retract his expression. He was sorry that his right hon. friend had not complied with that requisition, which he might have done consistently with his honour. He (Mr. Bankes) would have felt no difficulty in acknowledging his error in such a case. But, as that had not been done, and as the words used tended to a consequence which could not be mistaken, he felt himself compelled to recur to the only parliamentary course now left them; which was, to move that the parties be both taken into custody. The hon. gentleman then moved; "That the right hon. George Canning and Henry Brougham esq. be committed to the custody of the Serjeant at Arms attending this House."

Mr. *Wynn* could not undertake to second the motion of his hon. friend, because he did not remember any instance in which the House had interfered, except upon some contempt being first shown to its orders. His impression was, that the expressions used by the learned gentleman were in a measure disorderly; but he did not at the time feel them to be so disorderly as to require him to call the learned member to order. The interruption of his right hon. friend was undoubtedly most intemperate and disorderly. At the same time, he did not concur with every thing which had been said as to the impossibility of adjusting the difference, the learned gentleman could have no difficulty in making one slight concession, which he might do with perfect regard to his own sense of honour, especially as all expectation of any worse consequences must be now at an end. They owed it to the country, to the interests of parliament, to the general freedom of debate not to allow the two members to leave the House, until they had given their word of honour not to pursue this affair any further. That condition must be enforced. Now, as the learned gentleman could not feel any objection on personal grounds to give an explanation, seeing that neither party would be suffered to pursue this affair further, he would venture to ask him to state what was really the intention of his words. [Mr. Brougham—"Not one word."] If they both persevered in the resolution of giving no explanation, there was no course but that just proposed.

Mr. Brougham again rose in consequence of being repeatedly called upon; but made way for,

Mr. *Abercromby* who said, it appeared to him that the House was about to be drawn into a most inconvenient course. The first question before them was, that of a breach of order by the right hon. gentleman. That question was already settled by the general admission of the House. The next question was, had the right hon. gentleman given that explanation which would satisfy the House for the breach of order. The question upon the breach of order lay between the House and the right hon. gentleman. The Speaker had declared, that the right hon. gentleman had committed that breach of order; and the House would not discharge its duty, if it did not support him in demanding an explanation of the right hon. gentleman. There could be no mistaking the term "false." It was incapable of any but a personal application. Would the right hon. gentleman explain that expression? The House was certainly bound to prevent any farther consequences. All they could now do was to carry into effect the motion just made, unless the two members could be brought mutually to explain.

Mr. *Wilmot* trusted the House would allow so humble an individual as himself to trouble them on this question, as his attention happened to have been particularly drawn to the expressions used by the learned member. He thought it far from desirable that the House should treat this matter too technically, and that if the learned gentleman could be put in a situation to explain his meaning, it would be preferable. [Cries of No!] His attention had been particularly drawn to the expressions in question, and he could most solemnly declare that he understood the words used to be in the highest degree personal. He did not say that they were meant in that sense; but if that was a correct description of them, then some allowance must be made for irritated feelings under a personal attack upon character. He should much regret if the House went to the decision of this question without having first had the benefit of an explanation from the learned gentleman. After that explanation, the House would be able to decide who had first infringed its orders.

Sir *F. Burdett* could not concur in the view taken by the hon. gentleman who had just sat down. The language used was not irritating because it was personal, but because it happened to affect the individual to whom it was directed. The hon. member had evidently mistaken the nature of their orders, which, it was true, were technical, but at the same time they were formalities of the utmost importance. Now, what was the real case? His learned friend had used language which certainly was such as might be used, such as he had heard used, to a public functionary: for there was nothing in that language which could be taken, except by the right hon. secretary of state, in any other sense but as applicable to his character as a public functionary. Nothing could be so disorderly and inconvenient as for gentlemen, the moment an objectionable expression occurred, instead of waiting for an opportunity of answering in the regular course, to interrupt the speaker by a negative, expressed in words so offensive, as to lead to the most dangerous consequences. Now, as to the avowal of the hon. member who had just sat down, if the words struck him as being so excessively improper, he ought instantly to have interfered. He should have required the words to be taken down, and then have asked his learned friend to declare whether or not he intended them personally. He regretted that that course had not been taken. At present, he did not believe any gentleman had a clear apprehension of their import. It was clear that there had been a breach of order of so violent a kind as to call for the immediate interference of the chair. But the proceedings which followed up that interference did not, to use a vulgar phrase, place the saddle upon the right horse. It would be impossible for his learned friend to give any explanation until after those offensive words had been retracted. This course the House had a right to expect; and he thought it would be most useless obstinacy to delay it.

Sir *R. Wilson* was satisfied, that the expressions which had fallen from his learned friend were addressed to the right hon. gentleman in his official character either as governor-general of India, or as secretary of state for foreign affairs. Neither did he think that the interruption of the right hon. gentleman arose from any thing but the firm conviction of the moment, that the expression was personal, and no otherwise intended. With this view of the case, he thought the right hon. gentleman might, consistently with his honour and feelings say, that it was under an impression that the language was meant to be personal, that he had applied the epithet which had called forth the present discussion. He tendered this advice, as that which, as a man of honour he thought might consistently be adopted by the right hon. gentleman.

Mr. *Canning* said, that if he understood rightly the suggestion of the hon. gentleman who had spoken last, it was one which he should not be unwilling to receive and to act upon. He had already said, he was aware that he had committed a breach of the laws of the House. For that offence he expressed his regret, and his readiness to submit to whatever censure the House might think fit to visit upon it. Having said thus much as to his feelings towards the House, he begged, with respect to the suggestion of the hon. gentleman to be understood as acceding to it under the assurance that the learned gentleman denied the intention to convey any personal imputation in the language he had used—a denial, which if the learned gentleman did not make, he wished to be understood as retracting nothing. Personal he had considered that language; as it went to impute to him the acceptance of the office which he held, after having made unbecoming submissions to a high individual in the administration of the country for the sake of obtaining it. Such an imputation he felt to have been cast, not on his official, but his private character. If that imputation should be denied, he was ready to avow that in what he had stated subsequently, he was mistaken: if, on the other hand, it should be avowed, he retracted nothing.

The *Speaker* said, that if the House would bear with him again, he was anxious to state in what manner the subject now struck him as being placed. It appeared, then to him that there were two distinct considerations before the House. The first was, that a breach of the order of the House had been committed. This was indisputable. The House would, upon this point, judge for itself, whether the member so violating its rules had made such an apology as abstractedly, and with reference to those rules only, would satisfy it. The next point was, the apprehension of the consequences which might arise from that disorder, and which it was the duty of the House to prevent. If it were obvious that those consequences must result, without the interference of the House, the House would exercise its own power to prevent them. But if, on the other hand, it was possible, and as he hoped probable, that the misunderstanding should be satisfactorily explained, he hoped the House would feel no difficulty in letting the matter rest, when all inconvenience should be thus removed. The right hon. secretary had expressed his regret and retractation, as far as the violation of the orders of the House was concerned. The next point was one of more difficulty. The right hon. gentleman, in consequence of language used by the learned gentleman, had supposed that some personal offence had been meant; he had said further, that if he had misunderstood those expressions, and no personal offence had been meant, he was willing to retract the disorderly expression. Other members who had spoken, thought that no personal offence had been meant by the learned gentleman; and he trusted the House would do him the justice to believe, that if he had thought they were used with any such intention, he should have interfered. It remained, therefore, for the House to understand whether such offence had been meant, and if necessary to take measures to prevent the consequences which, in that case, might be likely to ensue. The House would, of course, be reluctant to give any offensive meaning to those words, if they could bear a different one; he hoped, therefore, to have the sanction of the learned gentleman, that the impression he had received from them was that which they were intended to convey.

Mr. *Brougham* said, that if he were to consult his own feelings alone, he should wish to pass on without explanation to finish the sentence in which he had been interrupted. He wished, however, to remind the House that the call for an explanation of the expression which had been used did not proceed from him. The question now before the House was, whether the right hon. gentleman who had used that expression and himself, should be taken into custody. The question was not whether that right hon. member had committed a breach of the rules of the House; for, that he had done so had been declared by the highest authority, and no dissent whatever had been expressed in this respect. The question, then was, whether that right hon. member, who had been thus unanimously pronounced guilty, should be taken into custody, and also himself (Mr. B.) who had committed no offence against the orders of the House, and against whom no charge had been made. He knew that the power of the House in this respect was absolute—he knew that if they pleased they might make such an order; but he knew if they did so, they would commit a flagrant violation of the principles of justice. He begged the House to understand that he opposed the first part of the motion no less than the last. He would be the last man to hold up his hand for passing a censure upon the right hon. gentleman, or for committing him to custody for the expression which he had used on hearing one half of the sentence which he (Mr. B.) was about to deliver. He felt that it was an extremely difficult thing to speak with the accuracy which had now become necessary of the expressions he had used. He declared himself incapable of telling the House exactly what he had said. But he perfectly remembered what was his meaning. He did not know whether his expressions might have been used too warmly, or if they might have had a personal application; because he did not profess that his mind was capable of making a very nice distinction in the selection of phrases which should apply exclusively to the personal or to the political character. He would, however, tell the House what he meant to say, the facts upon which he reasoned, and the inference he had drawn from those facts. Those facts he had believed to be true; but if they were false, and if the conclusion he had formed should prove to be erroneous, he should be glad to find them so. What he meant, then, to say, was this—he used the words "political tergiversation"—he described the conduct of the right hon. gentleman as something which stood prominent in the history of parliamentary tergiversation. The expression, he admitted, was strong; but he thought it was an expression which he had heard used, over and over again, without its having given offence: he was sure he had never heard of any occasion on which it was more accurately applied. He entertained a strong feeling; and he had meant to express it with respect to the right hon. member's public and political life. As a private individual, he had never known aught of him but what did him the highest honour, and as having been connected with himself heretofore in advocating this very cause of Catholic emancipation. He did feel strongly on this passage of the right hon. gentleman's life, but he had not used the expressions which had been alluded to, for party, or for factious, and least of all for personal purposes. He considered that the right hon. gentleman had, by his speech delivered at Liverpool, for the first time in his life, and for the first time in the history of the Catholic question, as connected with him, said, that he did not wish that question to be discussed again in parliament. If the right hon. gentleman had not said so, he would heartily beg his pardon; but he had read it in what appeared a corrected copy of his speech, said to be delivered at the time and place he had mentioned. At that moment it was known that the right hon. gentleman was about to become a minister at home, or to go out as governor-general of India. And it was a matter of perfect notoriety, that the lord chancellor of England was in direct hostility, not alone to the question of the Catholics, but to the right hon. gentleman himself. When, therefore, he connected that declaration at Liverpool with that hostility, and the subsequent appointment of the right hon. gentleman to the office he now held, he could not repel the conclusion he had stated in the objectionable expression. It was under that impression, and with the view of transferring it to the House, that he had used the expression in question—a strong expression, certainly: if too strong for the orders of the House, he most readily apologized; although it was not too strong for his feelings. He had talked of the conduct of the right hon. gentleman, as it appeared to him from the change which had taken place in his conduct with respect to this question, and he had a right to form an opinion of his motives from the outward and visible form of his actions. All these things seemed to him to show a truckling to the lord chancellor; and his appointment as minister, and, as it was unconstitutionally called, manager of the House of Commons, confirmed the opinion which he had formed upon the grounds he had stated. He was aware that it was always wrong to impute motives to the conduct of any one, and he gathered from the right hon. gentleman, that he had been wrong in doing so in this instance. But he had a right to speak of his conduct as a statesman which he deplored, and this he had done. He had not done so from any party, and still less, he repeated, from any personal motives, but because its consequences were likely to prove a death-blow to that cause, in the support of which they had both been engaged. Whether this explanation would be full enough or not, the right hon. gentleman must decide for himself. He (Mr. B.) could have wished to have given a fuller one; but, what the right hon. gentleman had added to his last speech — in which he almost repeated the disorderly expressions—had stopped him: his mouth was closed; on his part, reluctantly and unwillingly.

Mr. Secretary *Peel* put it to the House, whether it was not their sincere conviction that a satisfactory explanation had been given, calculated to allay any unpleasant feeling that might have existed between his right hon. friend and the learned gentleman. With respect to the circumstances out of which the misunderstanding arose, he would say that the facts must have been grossly misrepresented to the learned gentleman; for that nothing could by possibility be more free from the imputation of truckling than the manner in which his right hon. friend had accepted office. He appealed to the House, whether this affair had not been satisfactorily terminated and ought not to be further proceeded in.

Mr. *Bankes* said, he was perfectly satisfied, and begged leave to withdraw his motion.

Mr. *Tierney* said, the explanation which had been given on both sides must be equally satisfactory to the House and honourable to the parties. It only remained, therefore, for them to say, as he trusted they would, that they would think no more of the matter.

Mr. *Canning* immediately rose, and said he should think no more of it.

Mr. *Brougham* repeated the same expressions. He said, he had been frequently embattled against the right hon. gentleman on political occasions; no personal ill-will had ever remained in his bosom on any of those occasions; and none would on the present. He then resumed the speech which had been broken off. He addressed the attorney-general for Ireland, and all those who on that side of the House took an interest in the Catholic question; he addressed those friends behind him, whom he knew took a sincere interest in it, and implored them to consider, that in abandoning the discussion of the question that night, they would, in the language of a homely proverb, be playing with edge-tools. All the imputations of want of sincerity on the gentlemen opposite might be, as he believed they were, made with great reason. But however those gentlemen might have deserted and betrayed the Catholic cause, he would not abandon it. He would do his duty; and, he solemnly advised the real friends of the cause to persevere. He called to the recollection of the House the history of the slave-trade abolition. His hon. and revered friend (Mr. Wilberforce) had, year after year, though often defeated, still persevered. Members who were disposed to support it, left the House, saying, that Mr. Pitt was insincere in his support, and that there was no hope of carrying the measure until a ministry favourable to it should come into power. If his hon. friend had abandoned that cause in 1796, upon such grounds, he (Mr. B.) doubted, whether ten years afterwards, lord Grenville and Mr. Fox would have succeeded in carrying it. It had, however, at length been carried; but, when the odious vessel of the slave-trade went down, amidst the cheers of that House, there were seen upon its dark deck and lashed to its rigging, some sixteen members, among whom was the predecessor of the right hon. gentleman. If the friends of that measure had then yielded to the fears which now influenced the friends of the Catholic question, it never would have been carried. He would ask, then, would they, because one had left their ranks, and the aid of another was doubtful, turn their backs upon the cause? If they should abandon it because they doubted some of their professed allies, they would proceed upon a strange confusion in reasoning; they would desert their post for the very reason which should induce them to remain at it. It would be acting upon just as blundering a policy, as that of a man, who having half built a house, should pull it down again for the purpose of destroying a rat that had got into it. He thought of the building; he cared not for the vermin; and he trusted that gentlemen would not now desert the cause they had so long and so strenuously supported.

Mr. *Hume* contended, that the relief of the Catholics was essential to the good government of Ireland, and was, therefore, to be considered only in the light of a great state measure. The slave-trade abolition was a question of benevolence, of humanity, and of wisdom; but the emancipation of millions of fellow-subjects stood on far more commanding grounds. For his part, he would never, however unpromising appearances might be, desert his post. He believed the gentlemen opposite would admit, that he was the last man to leave that House, even on the slightest occasion. The conduct of the attorney-general for Ireland, was most inexplicable. He proceeded to read an extract from a former speech of that right hon. gentleman, in which he stated the necessity of a united cabinet, with the view of carrying that great question; and having so done, he called upon the right hon. gentleman to reconcile his opinion then with his acceptance of a seat in the cabinet which was known to entertain a divided opinion upon that very question. The right hon. secretary of state for foreign affairs, in one of his speeches on the Catholic question, had declared, that "nothing could tend more decidedly to allay the heats and dissensions to which it had given rise, than by making it a cabinet question; the cabinet, be their other political opinions what they might, ought to examine this question in all its bearings, and bring it to a shape in which it might be practically dealt with." A stronger opinion than this could not possibly be given. The right hon. secretary had farther observed, that "the government had no longer any ground or excuse for leaving this question to be agitated at the suggestion of any person, at either side of the House, who chose to take it up; but they ought to take it into their own hands as a question of vital importance to the well-being of the empire." They here found the right hon. gentleman, when out of office, stating what ought to be the conduct of government; but, now, when he was in office, they heard him declare, that he would not bring the question forward, but that, if it were introduced by any person on either side of the House, he would vote for it. Was not this a delusion on the people of Ireland? He hoped they would see, from the debate which had that night taken place, that they had nothing to expect from such ministers. For his own part, he looked upon them as responsible for the additional evils by which Ireland would be afflicted, and considered them accountable for the blood that might be shed in that unfortunate country, if this question was not carried. It was a question intimately connected with the prosperity both of Ireland and of England, and ought, therefore, to be taken up by the cabinet. As the question was not to be so introduced, he would take no part in the discussion, but would leave the right hon. gentleman to deal with it as he thought fit.

Mr. *Martin*, of Galway, thought his learned friend would lay himself open to censure, if, after what had passed that night, he brought this important question to a vote. He disapproved of the conduct of those who had given notice of their intention to leave the House, if the discussion were introduced in any other way but as a cabinet question. It was destroying the question, for fear it should be lost. This sort of conduct reminded him of a gentleman, who, having received a challenge, retired to his chamber, and shot himself, leaving behind him a written paper, in which he stated, that "he had done so, for fear his antagonist should shoot him." They had heard it asserted, that the question could never be carried while there was a divided cabinet. With great humility he would take leave to say, that it might be carried, although the cabinet were divided: and if it were so carried, it would be more triumphant than if it were carried in a cabinet formed for that express purpose. There would be a great re-action of feeling throughout the country, if its success appeared to be owing to any legerdemain, which would not be the case if it triumphed in consequence of its own merits.

Mr. *S. Rice* regretted the course which had that night been taken by several gentlemen who had always shown the greatest desire to watch over the interests of Ireland. Such conduct was unjust towards those who were anxious for the success of the question, and would, perhaps, prove disastrous to the Catholic cause. The great mass of gentlemen on the opposition side of the House, had been all along—while the question received from the cabinet but a divided support—the consistent, disinterested, and unvarying friends of religious liberty. He rose chiefly to protect himself and others from the imputation of being implicated, in the smallest degree, in the opinions which governed his hon. friend behind him. He and his friends were determined to remain at their posts to the last, even though they should be left in a minority not worth counting. Irish gentlemen were accustomed to sit in minorities; but still they would perform their duty. It had been unfairly said, that their conduct that night would render them responsible for the ultimate fate of this measure. He denied this. Neither he nor his friends participated in this constructive responsibility. The benefits to be derived from discussion were not to be estimated by the numerical force which appeared on a division. For that he cared not, so long as he procured discussion. Let the case be fairly argued, and, in the long run, truth must prevail, and the good cause triumph. Responsibility rested in other hands; and the importance of that responsibility would, he was sure, be scrupulously weighed. Having been sent to that House by individuals who were deeply interested in this measure, he would cling to the question, in whatever shape it was brought before the House, as the great means of securing the happiness and prosperity of Ireland. If in past times the circumstances of that country called on the House to consider the cause of the Catholics, he would say, from an intimate acquaintance with all the calamities with which she was afflicted, that none of those circumstances pressed with half the force, or demanded the intervention of parliament half so powerfully, as those which now existed.

Sir *J. Newport* insisted, that the repeated discussion of the Catholic question had been productive of great advantage to the cause of truth and liberality. The more he looked into the subject, the more he was convinced that on the success of the measure depended the happiness of the empire.

Sir *R. Heron* declared his determination of giving his humble support to the question whenever it should be brought forward.

The petition was ordered to lie on the table.

Roman Catholic Question.] The Speaker then called on Mr. Plunkett. Upon which, sir F. Burdett, Mr. Hobhouse, lord Sefton, Mr. Bennet, sir R.

Wilson, Mr. Creevey, and several other members on the Opposition benches left the House. After a short interval,

Mr. *Plunkett* rose. He commenced by observing, that it was his intention to have that day presented a petition from the Roman Catholics of Ireland, which had been agreed to by a considerable number of gentlemen—considerable, not merely with reference to their numbers, but also with reference to the rank and station which they held in society. Owing, however, to some mistake in furnishing the names of the petitioners, it was impossible for him, that night, to lay the document before the House. This circumstance did not, however, conclude him from introducing the Catholic question, because he was authorized by the Catholics of Ireland to appear in that House as their advocate. Never in his life did he address the House under circumstances of such extreme difficulty as those under which he was placed at the present moment. He found he had to sustain the cause of the Catholics, not only against those who had been always opposed to them, but also against a considerable portion of those who had been ever looked upon as their friends. The cause had sustained a severe loss by the secession of a large portion of hon. members who were in the habit of giving it their support, and who had very ostentatiously withdrawn themselves, for the purpose of marking their sense of the impropriety of the manner in which it was brought forward. But, if the cause had sustained a loss from the secession of those hon. members who had retired, it had suffered a still heavier loss from the speech of the right hon. gentleman (Mr. Tierney) who remained within the House, with the intention of giving his vote in its favour. That right hon. gentleman had always been the friend of the Roman Catholic claims; he had always acted so; and he did not mean to impeach his sincerity. But he would say, that the greatest enemy which that cause ever had, never gave it so deep a wound as had that night been inflicted upon it by its antient friend. It was in vain that the right hon. gentleman and others endeavoured to throw on him the responsibility of the failure of the question. The responsibility of that failure lay upon those who had foretold in such ominous tones, its defeat, and who treated the subject as a mockery, a farce, a delusion, while they animadverted on the personal demerits of the individual who was to bring it forward. Under these circumstances, he felt that he should not be considered, in the just and honest minds of the Roman Catholics either of England or of Ireland, as acting an insincere part, when he introduced this question; and he was not at all afraid of encountering, and throwing aside, those imputations which hon. gentlemen had been pleased to level at him. He was really at a loss to furnish himself with any plausible reason why the right hon. gentleman should think that this question was not now entitled to support from every member of that House, because it was in the hands of a divided administration. The right hon. gentleman had, in his recollection, from the year 1807, supported the Catholic cause, though the administration was divided. The cause, during that period, had made regular and daily advances, though only a portion of the cabinet was in favour of it. He did not find, when the question was brought forward by any individual on the right hon. gentleman's side of the House, that he had ever damped the cause, or thrown out such disheartening presages of failure as he had indulged in on the present occasion. He would ask the right hon. gentleman how he could reconcile it to his feelings as a patriot—as a man who viewed this question, not as it referred to party, but as it respected the people—to embarrass the proceedings of those who were friendly to it, merely because the individual who brought forward the motion sat on the ministerial, instead of the opposition side of the House? He had always considered the Catholic cause as being too high for party. He ever considered it as separate from all petty interests; and he was proud to say that his coming over from one side of the House to the other, had not injured him in the opinion of the Catholics of Ireland as the advocate of their cause; and he could state that it had not in the least effaced the impressions of unalterable zeal with which he had ever come forward to support their claims. The right hon. gentleman appeared to think that there was something extraordinary in the circumstance of his having moved from one side of the House to the other. He was not aware that there was any thing in this alteration which ought to surprise the right hon. gentleman: for, if his recollection did not fail him, the right hon. gentleman himself had performed the figure of moving from one side of the House to the other and back again, as gracefully and adroitly as it could be executed by any hon. member. He did not, however, know but his votes might afterwards have been very correct. Doubtless, he could give a very satisfactory reason for them. But, if he were asked, why he was not now sitting on the same side of the House with the right hon. gentleman, he thought he could make out a case that would be equally satisfactory. Words which he had used ten years ago, had been quoted in the course of the debate, and had been introduced with much sarcastic observation. He had on that occasion expressed strongly the feelings which he strongly felt, and he did not think his present conduct was inconsistent with those expressions. He did then certainly point out in strong terms the dangerous consequences of a divided cabinet on this question; for he believed a large portion of the cabinet of that time were utterly and entirely insincere. He thought so from the manner in which that administration had come into office, and other circumstances; and he did not hesitate to express what he felt. He might, however, remind the right hon. gentleman, that he had the honour of holding office under an administration of which the right hon. gentleman was a distinguished member. That was a divided cabinet. They were content to bring forward a very contracted measure on this subject, and even that they would have abandoned at the time, if the feelings of his majesty could have been propitiated, and the necessity for their going out of office avoided. He did not censure them for that conduct; indeed, he thought they had acted wisely on that occasion. In making the change which the right hon. gentleman had alluded to, he had not been influenced by any mean or mercenary motives. He came to that side of the House on which he now sat, feeling that he was perfectly justified towards the Catholics in doing so; knowing that those members of the cabinet who advocated the Catholic claims were decidedly and conscientiously sincere in their opinions; and seeing that the Catholic cause was making rapid strides under that portion of the administration, so divided, who were favourable to it. The right hon. gentleman did him too much honour, if he supposed that his (Mr. P.'s) conduct was of such extreme importance to the views and objects of the Catholics of Ireland: but he would say, that, humble as he was, if he thought his coming over to the ministerial side of the House was likely to injure the Catholic cause in the slightest degree, the right hon. gentleman would never have seen him where he then was. He had made sacrifices in that cause. He had not rested on theatrical words or rhetorical flourishes; but he had willingly consented to sacrifices, which gentlemen ought to have remembered. Yes! he had made sacrifices which rendered him invulnerable to the attacks that had been that night directed against him.

He feared he had too long trespassed on the House, in referring to a matter which was personal to himself. He would here drop it, and proceed with the important motion itself. He owed it to the House, perhaps, to offer some explanation, why he had not brought forward this question during the last session, and also why he refrained from postponing it now. With respect to the motives of his own conduct, he was always ready to sacrifice his own views and his personal feelings to the paramount interest of the great question itself; and he could not help feeling that on the present occasion, the cause which he had so much at heart was perhaps placed at some risk by the secession as well as by the forebodings of some of the hon. gentlemen opposite. Notwithstanding this untoward circumstance, he owed it to the country to redeem the pledge he had given, and he felt he should do essential injury to the cause itself were he, because some ten or twelve gentlemen chose to pronounce a funeral elegy upon it, and then withdraw, to abandon that ground, the maintenance of which honour and duty had imposed upon him. His reasons for postponing the question last year were simply these. The friends of the question, whose views he was bound to consult, were, from the then state of Ireland, divided in opinion as to the propriety of agitating the subject at that moment, and the Catholics of Ireland were disposed to leave the decision in the hands of their friends. Thus placed, he yielded to the wishes of some, and postponed the renewal of the discussion. And here he must beg leave to deprecate the idea, that he was bound to make this an annual question. He had never looked upon it in that light, nor had his great predecessor, Mr. Grattan. He had never considered it as strictly an annual topic of discussion; but rather thought that great advantages were derived from giving the people of England time for periodical reflection upon the subject, an opportunity of which, to their honour, they had amply availed themselves. His own opinions had been early formed upon it—long before he had a prospect of taking a part in public life; and the opinions which he had at first instinctively formed, had been confirmed by his education and professional studies, and fixed and strengthened by a thirty-five years' residence in Ireland. Indeed, he thought the question rested upon principles so demonstratively clear, so congenial with the principles of the constitution, and so cogent upon grounds of public necessity, that he was astonished to find it still in any quarter pertinaciously opposed. He by no means meant to say that the refusal of emancipation would be followed by any thing like insurrection or rebellion in Ireland. The Roman Catholics were too sensible of the value of the privileges they had already received, to put them in risk by any such intemperate and ill-advised proceeding. They were grateful for what had been bestowed upon them; they were aware of the progress of public opinion in their favour; they were satisfied that, sooner or later, the question must be carried. No man could say that the question could remain where it was. To retrograde was impossible: the march must be progressive. Let no man say that the subject only affected one class of the community. It was impossible such an exclusion could fail to be felt as a degradation, by the humblest as well as the highest individual of the class affected by it. The history of Ireland showed that the consequence of perpetuating these disabilities must always be felt in the perpetual watching and feverish vigilance attendant upon a state of discontent, which kept that country out of its natural place in society, affected the resources of the British empire both in peace and in war, and diminished her consequence in the scale of Europe.

The right hon. and learned gentleman then took a rapid review of the parliamentary history of the Catholic question, and adverted to the sanction by the House of Commons of the principle of concession in the year 1821, and in the bill of last year. The numbers and property of the Catholics had, he said, been exaggerated, in their reference to the result of the measure; and he was convinced that, were the bill passed, the youngest man now alive would not in his time see twenty Catholics returned to parliament. However, although the danger from their admission to the House of Commons was, in his opinion, visionary, yet he was ready to declare, that were the bill in a committee, he would not abandon it, if any gentleman thought proper to limit the number of Catholics to be admissible into parliament. Twice, then, by specific bills, had the House of Commons sanctioned the principle of concession; but those bills had been stopped elsewhere. It was irregular for him to allude to the cause of that obstruction; but the alleged reasons had gone abroad, and he might be permitted to notice them. It was said, that these bills introduced a new principle, hostile to the Protestant establishment of the country, and subversive of the settlement laid down at the Revolution, and to which the House of Brunswick owed their security upon the throne. But, was it true that the House of Commons had twice sanctioned a principle of so alarming and unconstitutional a nature: or were they to be told that the throne rested on a separate parliamentary basis, of which the House of Commons formed no part? He positively denied that the throne was exposed to such a risk; and contended with great earnestness that the principle which he advocated was not only congenial with, but inseparably involved in the great principles which were declared and established at the Revolution.

Before he proceeded to speak of the bill, for leave to bring in which he should wish to move, he was desirous of making two or three further preliminary observations. And first with respect to securities. Securities had hitherto been the subject of much difference and discussion. By some they had been considered useless; by others those which had been offered had been deemed insufficient. For himself, he had always been decidedly of opinion that some securities were absolutely and indispensably necessary; so much so, indeed, that he should object to passing any bill without them. Another objection to former bills was, that they did not contain any provision in favour of Protestant Dissenters; but that they relieved the Roman Catholics from disabilities to which they left the Protestant Dissenters. He was glad of an opportunity to disabuse the public mind on that point. Nothing could be less true. The tendency of the bills was, to put the Roman Catholics on the footing of the Protestant Dissenters, and nothing more. It was singular how uninformed the public were in many respects. It was generally imagined that the Protestant Dissenter had no right to sit in the House of Commons. On the contrary, he had as much right to sit in that House and in the House of Lords, as the member of the Protestant establishment. It was also contended that if the measure which he proposed were carried, the Test and Corporation acts must also be repealed. That he denied. There was no necessary connexion between Catholic Emancipation and the repeal of the Test and Corporation acts. Besides, the Test act had been repealed in Ireland for forty years; and that repeal had not only failed in increasing, but had actually very much cut down the Dissenting interest in that country. If at some future period, the repeal of the Test and Corporation acts were proposed, he would most cordially support the proposition; but he must decline mixing it up with the Catholic question.

He would now call the attention of the House to the argument founded on the principles connected with the reformation. He admitted that from the reformation must be justly dated the rights and liberties of the people. But he claimed it as an admitted position, that the exclusion of the Roman Catholics or the Dissenters from office, or from constituting any part of the government, rested on statutable prohibition, and was in direct contradiction to any presumption founded on constitutional principles. They must look at the statute law alone, then, as the ground of the exclusion. The act of uniformity of Elizabeth must be regarded as an isolated statute, to be construed by the light of history. At the period of the Reformation three principles were operative: The first was the unalienable establishment of the Protestant religion in these realms as far as human regulation could affix permanence—The second was to put down and prevent the exercise of all religious professions, as contumacious, which were at variance with the religion so established —The third was, to give the state a power of distinguishing the well-affected from the disaffected, and to disable and disqualify the latter from being admitted into its high offices. Of those principles the first was the most important, and was inalienable; the second, after having been contended against for three hundred years, was at length abandoned by the repeal of the law against recusancy; the third was intended as a test to separate the well-affected from the disaffected, and for that purpose the oath of supremacy was framed. What the friends of emancipation sought was, a qualified oath of supremacy, such as might be taken by a conscientious Roman Catholic, who must always acknowledge a certain degree of spiritual authority in the head of his church. The right hon. and learned gentleman then referred to three documents, at the period of the Reformation, to show the sense in which the spiritual jurisdiction of the Crown was understood at that time. The first was the act of Supremacy, by which the Crown was invested with the jurisdiction over its subjects which was claimed by a foreign power. Now, he contended, that interference in the spiritual concerns of a sect was not claimed or given by that act; and, even if the Roman Catholics gave it at the present day, it could not be exercised by the Crown. The only authority which that act gave to the sovereign, was the power over the Established Church, which was claimed by the pope, and which was denied to him. The next document was the declaration of the queen, by which, in explanation of the act, she claimed only such a jurisdiction, as would exclude the admission of any foreign authority over her subjects. The third document was the act dispensing with the taking of the oath in certain instances by Roman Catholics; the queen being, as was stated, otherwise assured of their loyalty. This, then, was all the act required; it was not looked upon as a test of religion, but as a guarantee of loyalty. The oath of supremacy required the person who took it to declare, that no foreign prince, prelate, state, or potentate, hath or ought to have any jurisdiction, ecclesiastical or spiritual, or any authority whatsoever within these realms. Now, the oath in the bill of 1821 (and which he proposed to continue) was to the same effect, but it added—"hath or ought to have any jurisdiction, &c. contrary to the allegiance due to the sovereign of this country." The Roman Catholic was now ready to take this oath; and he would ask what further would be required of him as a test of his loyalty?

The right hon. gentleman then went on to cite several authorities, for the purpose of showing that this was the sense in which that test was understood at its first enactment; that it applied, not to religion, but to loyalty; and that several noblemen and gentlemen took the oath in Elizabeth's time, not conceiving it to compromise their religion. This was further proved by the act of the 27th of Elizabeth, in which severe penalties were enacted against Jesuits and priests exercising their clerical functions; but these penalties were dispensed with in the cases of such as took the oath. Now, it was clear that these priests were Roman Catholics, and the legislature of that time could not have been so absurd, could not have added insult to injury, by requiring them to purchase their exemption from penalties, by taking an oath which no Catholic could take, if it had the meaning which was now sought to be put upon it. It was not until there was added to the oath a declaration, that the Catholic worship was superstitious and idolatrous, that it was understood to be against the religion, and that Catholics, generally, refused to take it. The pope, at the time of passing the act of supremacy, claimed an authority over the whole English church—the power of appointing to bishoprics—of receiving the profits of the sees while vacant—of deposing the king—of excommunicating him and the people. The act denied to him any such authority: and the Roman Catholics were all ready to swear, that he neither had nor ought to have such authority, and they were willing to take any stronger oath to the same effect if it could be devised.

The right hon. gentleman then went on to answer many of the usual objections urged against the measure; amongst others, that the dispensing with the oath to Catholics, while it continued it to Protestants, would be inconsistent. But, the Protestants would not be in a worse situation than they were at present. They all took it; but none took it in the sense that the pope had no authority in these countries, for it was clear he had some spiritual power; but it was ready to be sworn by all Roman Catholics, that he neither had nor ought to have, any which was inconsistent with the power and sovereign authority, and supreme jurisdiction of the king of England, or in any manner opposed to it. All the researches which had been made in connection with this subject, had produced but one solitary case in which the head of the Roman Catholic church could act in opposition to the law of the state. Persons of that degree of consanguinity, which admitted of their marrying without offending the laws of the Protestant church, could not marry by the laws of the Roman Catholic church. From this circumstance, in a particular case where the restoration of conjugal rights might be decreed by our laws, the laws of the Roman Catholic church might oppose it. But those laws could not deny the validity of the marriage, nor the legitimacy of the children of such marriage, nor could they do any thing that might affect the rights, liberty, or property of the subject. They could merely exclude the parties from participation in the rights of their church. The power of the pope was no longer what it used to be. His devouring lion, as it had been called when the oath of supremacy was framed, had become tame and harmless in our time—had in fact been rendered innocent as a suckling lamb. Whatever danger might be supposed to attach to the influence which the pope, as head of the Catholic church, might exercise in his realm, that danger existed now in as great a degree as it could rationally be expected to exist after the claims of the Catholics should have been granted. If the Catholic were disposed to trifle with his conscience, what could prevent him from misconstruing the oath which he was now called upon to take. If he were honest, the new oath to be proposed to him would bind him, if dishonest, the oath at present proffered would not.

The right hon. gentleman again referred to the reign of Elizabeth, and quoted the letter of lord Burleigh to her majesty, in 1583, in which he stated, that considering the urgency of the oath of supremacy must in some degree beget despair, for many Catholics must in taking it either do that which they thought unlawful or be deemed traitors, he submitted to her majesty's consideration, whether it would not be better for her security, and for the satisfaction of the Catholics themselves, to let the declaration be, that whoever refused to swear that he was ready to bear arms in her majesty's defence against all foreign powers or states opposed to her, should be deemed traitors; this would be a better proof of their loyalty. But (lord Burleigh added) if it should be said, that in an oath of this kind they might dissimulate, or expect that the pope would absolve them from its observance, he would reply, so they might in the oath of supremacy; and they who would keep one, might be trusted with the observance of the other. These were the sentiments of that great and wise statesman, above two hundred years ago; but it seemed we grew wiser as the world grew older, and refused to have any reliance upon the faith of oaths. We, who admitted that the whole security of the state—the safety of society—depended upon the sanctity of oaths, now refused to place any reliance upon them. To be consistent, if we distrusted the oaths of the Catholics, we should undo what had been already done in their behalf—we should go back to the full severity of the penal laws, and proceed against them even to extermination; we should wield the iron rod of conquest, and when we had got the strong man down, we should not content ourselves with cutting off his hair, which would grow again, but should cut off his head, which could not be replaced.

He now proceeded, with reluctance, to notice the arguments drawn from the Revolution against Catholic emancipation. There was no greater mistake than that which was fallen into by those persons who supposed that the Revolution and Settlement had any thing to do with the system established by the 25th and 30th of Charles 2nd. So far from this being the case, the Revolution was at right angles with that system. The fact was, Charles 2nd had ceased to be the protector of the state; the Crown had formed the project of overturning the established religion. The acts of the 25th and 30th of that reign were not intended to make the throne fundamentally Protestant, but were framed as a substitute for such protection. It was obvious that such a system could not be lasting. The parliament, in effect, said to the king, "we cannot trust you; we will keep you on the throne, yield you dutiful obedience; but we will not suffer you to change the religion of the state." The first measure of the Revolution was in direct opposition to the system of Charles 2nd. It altered the law by making the throne fundamentally and essentially Protestant. King William's parliament altered the oath of supremacy, and proposed to repeal the Test and Corporation acts. Now, his (Mr. P's) measure proposed no such innovations on the act of William, as William had made on those of Charles 2nd or as Charles 2nd had made upon those of the Reformation. These alterations were made according to the altered circumstances of the times; and it was upon the alteration in the circumstances of the country at the present period, that he founded the expediency of the proposed measure. It was said, that the settlement at the Revolution ought not to be shaken—that the principles then established were principles of toleration, of civil and religious liberty, and of equal protection to all. The Revolution was not marked by any such principles of pure and religious toleration. It quite shut out the Roman Catholics of England and Ireland: it enacted severe penalties against priests being engaged as schoolmasters; so that the Roman Catholics were not made objects of toleration, but victims of persecution. The age of pure and religious toleration did not in fact begin until the 18th of the late king; and then were the true foundations of civil and religious liberty first laid. Those who opposed these claims on what they called the principles of the Revolution, by a perverse sort of chemistry, extracted from it, for the sake of their argument, all that was bad and intolerant, and left behind all that was great, glorious, and free in it, as a useless residuum. It had been often argued, that Mr. Locke was good authority against the admission of Catholics to the full enjoyment of the constitution; it was urged that Mr. Locke had laid it down as a principle, that so long as the Roman Catholics delivered themselves up to the supremacy of a foreign prince, whose commands they held themselves bound to obey, even to the prejudice of the state, they were not entitled to the privileges of toleration. Mr. Locke was right in stating, that any portion of the community who were leagued with a foreign power against the interests of their own country, were not entitled to a participation in its constitution. But, who would venture to say, that the Roman Catholics of the present day were not entitled upon such ground? And if so, what became of the argument of Mr. Locke? Mr. Locke went on to say, that while the Roman Catholics acknowledged a foreign power, superior to the laws of the country, they were not deserving of toleration, and could not complain of not being considered good subjects. Now, he would ask, who would venture to say, that the

Roman Catholics of these realms were not good subjects? Were they to consider the concessions which already appeared on the Statute Book as mere flattery, and not at all deserved by the parties to whom those concessions were made?—But, if the Roman Catholics were considered to be good subjects, then he would ask, what became of the authority of Mr. Locke? It was natural for the great men, who watched as it were the cradle of the constitution, to feel considerable alarm at the conduct of the Roman Catholics, and to consider them as bad subjects, in consequence of their readiness to join a foreign power. This was the doctrine of lord Somers among others. But if the Roman Catholics of the present day were loyal and firm supporters of the constitution, why should they go back to former periods for a justification of a line of conduct which, though perfectly right and reasonable then, was perfectly wrong and unreasonable at present? It was true that the great men of that period, such as lord Clarendon, lord Somers, Mr. Locke, and others, were decidedly hostile to the Catholics; but then gentlemen who referred to the writings of those men should take into consideration the circumstances of the times in which they wrote.—He would next call the attention of the House to the doctrines held by Blackstone with respect to the Catholics. That great writer, speaking upon the subject, said, "the sin of schism, as such, is by no means the object of temporal coercion and punishment. If through weakness of intellect, through misdirected piety, through perverseness and acerbity of temper, or (which is often the case) through a prospect of secular advantage, in herding with a party, men quarrel with the ecclesiastical establishment, the civil magistrate has nothing to do with it; unless their tenets and practice are such as threaten ruin or disturbance to the state. He is bound indeed to protect the Established Church; and if this can be better effected by admitting none but its genuine members to offices of trust and emolument, he is certainly at liberty so to do; the disposal of offices being matter of favour and discretion. But, this point being once secured, all persecution for diversity of opinions, however ridiculous or absurd they may be, is contrary to every principle of sound policy and civil freedom." This was exactly the doctrine upon which he now called upon the House to act. The same author went on as follows:—"As to Papists, what has been said of the Protestant Dissenters, would hold equally strong for a general toleration of them; provided their separation was founded only upon difference of opinion in religion, and their principles did not also extend to a subversion of the civil government. If once they could be brought to renounce the supremacy of the pope, they might quietly enjoy their seven sacraments; their purgatory, and auricular confession; their worship of reliques and images; nay, even their transubstantiation. But while they acknowledge a foreign power superior to the sovereignty of the kingdom, they cannot complain if the laws of that kingdom will not treat them upon the footing of good subjects." So that if it appeared that the Roman Catholics were at present good subjects, as he contended they were, then there was at once an end to all the arguments both of Mr. Locke and Blackstone. Was it not a formidable argument to set up, that out of a populalation of seven millions in Ireland, five millions were bad subjects, disaffected to the government, and undeserving of a participation in the constitution? If it could be shewn that there were in Ireland five millions of men disaffected to the government, then he would say, that the right hon. the secretary for foreign affairs would be furnished with a stronger argument in favour of neutrality, than any which even his own powerful and argumentative mind had been able to urge. If they were obliged to employ the forces of the country in watching over a disaffected population of five millions in Ireland, then adieu to the power and glory which had hitherto distinguished this country. They might live on in a state of feverish discontent and uncertainty; but it was impossible that great or permanent good could be effected in such a state of things. —The right hon. and learned member went on to quote lord Hardwicke, for the purpose of shewing that the real security to the Established Church of this country, was to be found, not in the oath of supremacy, not in the declaration, but in that wise and salutary law which made the Crown of these realms essentially Protestant.

Before he sat down he owed it to Scotland to say a few words upon the law upon this subject as it now stood in that country. The measure which he proposed only went to remove the oath of supremacy, and the declaration. But, there was a Scottish law which went to disable Catholics from being electors or elected, in choosing or being elected to serve in certain public offices. This law he believed was still unrepealed; and he should feel happy if any hon. representative of that country would propose a clause in the bill, for the repeal of this law of disqualification. By the eleventh article of the Scottish union, it was provided, that the British parliament was competent to abolish any Scottish law, for the purpose of assimilating the constitution of both countries, and every alteration of private law was admitted which tended to the advantage of that country. Having gone through the various topics, he could not sit down without saying a word or two upon the declaration. It was satisfactory to know, that neither clergyman nor layman had opened his lips in favour of it. He hoped that this blot would not much longer be allowed to remain upon the Statute Book; for he did not believe that a single human being existed, who would assert, that it was warranted by any principle of religion. The enemies of the Catholic claims feared those who worshipped the same God, and acknowledged the same Redeemer—for his part he dreaded only those who worshipped no God, and acknowledged no Redeemer. They feared that the Roman Catholics were disloyal—he only dreaded lest severity and injustice should make them so. The right hon. gentleman concluded with moving, "that this House do resolve itself into a committee of the whole House, to consider the state of the laws by which oaths or declarations are required to be taken or made, as qualifications for the enjoyment of offices, or for the exercise of civil functions, so far as the same may affect his majesty's Roman Catholic subjects; and whether it would be expedient, in any and what manner, to alter or modify the same, and subject to what provisions or regulations."

After the motion had been read from the chair, a loud and general cry of "Question, question!" was raised.

Mr. *G. Bankes* addressed the House, and with some difficulty obtained a hearing. He said, he could not help feeling that danger was to be found under the right hon. gentleman's motion. The body of Protestant clergy was deeply interested in the question. If Roman Catholics were once admitted to a share in the legislature they would contend that their church was the only right church, and would endeavour to overthrow the Protestant establishment. It had been said, that the House had gone too far in the way of concessions to the Catholics to recede. He did not see the strength of that argument. If they could not go back, they might stand still. There was danger in giving up those securities, which our ancestors had so dearly purchased. He should give the motion his decided negative. [Loud cries of "Question!"]

Mr. *Becher* contended strongly, that, although the efforts of the lord lieutenant might do much to restore harmony, complete and permanent tranquillity could only be given to Ireland by a measure which would give equality of rights and privilege to all parties. It was the true and only remedy for Orangeism, and the other evils by which Ireland was now so grievously afflicted. [Cries of "adjourn!"]

Mr. *Lambton*, in rising, was interrupted by cries of "Question, question!" "Adjourn, adjourn!" He observed, that if those gentlemen who were so clamorous below the bar, had but been silent for one minute, he should have delivered all he meant to say upon this question. His only object in rising was, to prevent his constituents and the country generally, from mistaking the motives which actuated him in giving his vote. All he intended to say at present was, that he should not vote for the present motion, not in consequence of any change of opinion upon this point; but because he conceived from the manner in which the question was brought forward by the right hon. the attorney-general for Ireland, it was a gross deception upon the Roman Catholics, and one to which he could not in any way lend his countenance. [Cries of "Hear, hear! mixed with loud and repeated cries of "Question, question"—"Adjourn, adjourn"—"Clear the gallery," &c.]

Strangers were then excluded, and the house remained with closed doors for nearly an hour and a half. It was first moved, "That this House do now adjourn"; but this motion was afterwards, with the leave of the House, withdrawn. It was next moved, "That the debate be adjourned till the following day." Upon this the House divided; Ayes 134. Noes 292. It was afterwards moved, "That the debate be adjourned till Monday next." This motion being negatived without a division, it was afterwards moved, "That the debate be adjourned till this day six months," whereupon a motion was made, and the question put, "That this House do now adjourn." The House divided, Ayes 313. Noes 111. The House accordingly adjourned at half after one in the morning.

HOUSE OF COMMONS.

Friday, April 18.

Roman Catholic Question.] General *Gascoyne*, seeing the attorney-general for Ireland in the House, wished the right hon. gentleman would have the goodness to inform him, whether it was his intention to renew the measure which the House had under consideration last night. He was anxious to learn something certain as to the course which the right hon. gentleman intended to pursue. At present, the question stood in the nature of an adjourned one. [Cries of "No, no."]

Mr. *Plunkett* said, that although the result of last night's discussion was not what he could have wished, yet certainly the question was not an adjourned one, and, therefore, could not be renewed without a notice. He had every disposition to satisfy the hon. member but he was not prepared in answer to a question thus suddenly put, to state what his future conduct with respect to it might be. That would, in a great degree, be influenced by the judgment of others. He had little discretion to exercise upon it. It was confided to his care by those who felt the greatest interest in it: and he stood, therefore, with respect to it, in the nature of a trustee, whose actions must be governed by the opinions of those whom he knew to be the friends of the measure. For his own part, he would say, that he saw nothing to induce him to renew the notice this session.

Military and Naval Pensions Bill.] On the Order of the day for the third reading of this bill,

Mr. *Grenfell* opposed it, as an improvident bargain for the public.

Sir *J. Newport* contended, that this bargain with the Bank was a direct violation of the statute of William and Mary, which prevented the Bank from becoming a dealer and jobber in public securities.

The *Chancellor of the Exchequer* defended the bargain made with the Bank, and contended that if it had been made with the commissioners of the sinking fund, it could not have been made on more advantageous terms. He likewise, maintained, that there was no difference of operation between the Bank's dealing in exchequer bills, as it now did, and its dealing in funded stock to the extent which this measure authorised.

Mr. *Hume* wished to be informed, why this bargain with the Bank, had been made in a hole and corner, secretly, and without any public competition. The right hon. gentleman's predecessor in office had given the public a pledge, that any bargain which he made for the sale of these annuities should always be made publicly, and be opened to the widest competition. Why had the right hon. gentleman abandoned that pledge? The price at which the bargain had been completed was detrimental to the public. He thought that, except in that House no 133 reasonable beings could be found to sanction it. He, therefore, called upon the House to reject it, and to break off the secret contraband trade, which at present existed between the chancellor of the exchequer and the Bank. He would move, "That the bill be read a third time this day six months."

Sir *J. Yorke* said, that as he did not understand more than the four first rules of arithmetic, he would not pretend to compute the profit or loss which was likely to accrue from this bargain. What appeared strange to him was this—why the bargain had ever been made at all. As the dead charge was to extend itself over 45 years, was it intended that at the end of that period, every spectre of it should be defunct? And if so, what was to be done with those persons who were daily coming upon the half-pay-list? He could understand the policy of the plan, if at the end of the 45 years every man on half-pay was to be as dead as Julius Cæsar. But that was not likely to be the case. There was a constant supply for the half-pay list. Scarcely a day passed without some officer coming on the half-pay from the 200 admirals, 800 captains, and 3,000 lieutenants, who had rank in the British navy.

Mr. *Ricardo* did not blame the Bank directors for making as advantageous a bargain as possible for their constituents. It was, however, an extremely improvident one for the country. He thought that there was also a constitutional objection to the contract, founded on the nature of the charter of the Bank, and the manner in which the capital was made available to the public. It seemed to him highly impolitic, that the Bank should be allowed to make speculations in the funds. At all events, ministers ought to have delayed the conclusion of the bargain, until they had laid the papers regarding the late negotiations upon the table: had they so waited, the bargain might have been more favourable to the public. He wished to know whether the Bank was to be allowed to charge for the management of this transaction, as well as for the management of the public debt.

Mr. *Huskisson* answered, that the Bank was to be allowed nothing beyond the terms of the contract which were before the House. He contended, that the bargain was advantageous for the public, and that the Bank were permitted to deal in public securities. The manner in which they had allowed the power to lie dormant, so that, even the hon. member did not know it existed, proved how harmless it had been.

Mr. *H. Gurney* said, he thought that in all the debates on this bill, the greatest evil had been the least, if at all, touched upon; namely, the extremely improper and dangerous investment of the funds of the Bank; this being a species of transaction contrary to every sound banking principle, and one which, drawn into precedent, must inevitably endanger the ultimate security of that establishment.

Sir *F. Blake* opposed the bill. He said he could not express his hatred of the sinking fund in better terms than by the words "Delenda est Carthago."

Mr. *Monck* suggested, that the contract was in violation of the act of William 3rd which prohibited the Bank from lending money on crown lands or public securities. As it was a matter in which they were pecuniarily interested, the directors and proprietors of the Bank who were members, ought not in delicacy to vote.

The House divided. For the third reading 140. Against it 91. The bill was then read a third time and passed.

MERCHANT VESSELS APPRENTICESHIP BILL.] On the order of the day for reading this bill a third time,

Mr. *H. Gurney* said, he held in his hand a statement from the town of Yarmouth, in which they complained of those provisions of the bill which compelled coasting vessels of a certain description to take apprentices, not increasing thereby the number of seamen, but throwing them out of employ.

Mr. *Ricardo* opposed the measure, as imposing injurious restrictions on a particular trade, and interfering with the private rights of the individuals connected with that trade. The right hon. gentleman opposite was bound to show, that there were some circumstances in this particular trade which ought to take it out of the general rule. He had, however, not only failed to do this, but he had failed to prove that the measure would afford any protection to private seamen. He should therefore move as an amendment, "That the bill be read a third time that day six months."

Sir *I. Coffin* contended, that good seamen could only be obtained by educating them as apprentices. If men were not bound apprentices, they would be as ignorant of the profession at the end of seven years, as at the commencement of their service. The best sailors in the navy were those who had served in the coal trade. The protection given by the bill to second mates was a most beneficial provision.

Mr. *Huskisson* said, the measure had given universal satisfaction to the ship-owners, and he believed there was scarcely a man in the House, except the hon. member (Mr. Ricardo) who was not satisfied of its utility. The measure was unquestionably one of relief to merchants, and of essential benefit to the maritime interest.

Mr. Ricardo withdrew his amendment; and the bill was read a third time.

MISCELLANEOUS ESTIMATES—WESTMINSTER ABBEY--CALEDONIAN CANAL.] The House having resolved itself into a committee of supply, Mr. Lushington moved, "That 449*l*. 18*s*. 3*d*. be granted for the repairs of Henry the Seventh's Chapel."

Mr. *Hume* wished to know whether any arrangement had been concluded to facilitate the admission of the public to Westminster-Abbey? The monuments erected in commemoration of public services were defrayed by the public, and that public were entitled to see them without being taxed 2*s*. per head whenever they wished it. At all events, if the Dean and Chapter of Westminster were so poor, after the numerous grants already made to them, as not to be able to pay the persons who attended to the care of the Abbey, it would be better for the country to give a certain remuneration for such services, than to continue the present system of taxing visitors. In no other country but this did this revolting practice exist.

Mr. *Lushington* said, that the fees were now the property of a person who had purchased of the dean and chapter the privilege of showing the monuments.

Mr. *Croker* entertained great doubts of the legality of demanding money from persons visiting the abbey. He had searched with some care, but he had not been able to find any authority by which the churches were closed. He was aware that the clergyman was said to have a freehold right in certain parts of the church; but he believed he had no right to shut it up. He regretted to say, that the dean and chapter of Westminster had, on the occasion of the coronation, been so ill-advised, or so greedy, as to cut down some very fine old trees of fifty years growth, with the view of disposing of additional ground for erecting scaffolding. The loss of the ornament to the public was great; while the profit to the chapter did not, perhaps, amount to 10*l.*

Mr. *Wetherell* said, that whatever doubts might exist as to the right of the public to admission to the abbey, it was a question which he should not wish to see pushed to its legal extremity, as the consequences might be mischievous.

Mr. *W. Smith* contended, that the dean and chapter had no right to exact money from the public, to defray expences which ought to be met out of their own funds.

Mr. *Hume* said, the public either had or had not the right for which he contended. If they had, he had no idea of a compromise. That was a course which might suit lawyers; but he did not approve of it. Was the secretary for the Treasury disposed to try the question. If he would supply the money, he (Mr. Hume) would soon set the affair in motion. If the decision of a jury should be against the public, they would only be reduced to the necessity of buying the privilege; for the dean and chapter who had sold trees and stones, would sell any thing.

The resolution was agreed to. On the resolution, "That 25,000*l.* be granted towards completing the works of the Caledonian Canal,"

Mr. *Hume* expressed his regret, that, session after session, they were called on to grant money for this object. Three years ago 20,000*l.* were voted; the year following 20,000*l.* was called for, and he, wishing to cover the whole expense, advised ministers to ask for 40,000*l.* Last year, however, they called for 25,000*l.* more, and now a fresh 25,000*l.* was demanded. From the way in which they proceeded 200,000*l.* would not meet the expense. He wished to know when there would be an end to disbursements under this head.

Sir *H. Parnell* could not concur in the remarks of the hon. member. He could say, from having seen this canal, that he had taken a very erroneous view of this question. No grant had ever been voted for completing this canal. The grants which the hon. member referred to were specially required and given for opening the canal, and this had been accomplished last October. The present grant was for deepening the canal. It was now of the depth of 12 feet, and it was necessary at some places to deepen it eight feet more in order to obtain a depth of 20 feet throughout the whole line. The locks were of the depth of 20 feet, and the whole of the navigation was constructed for the same depth, except at the entrances of the lakes, and along a short part of the summit level. The hon. member had made a great mistake in saying the bottom of the summit lock was stone, and that it would require a very large sum to cut it out. The fact was, the bottom was gravel and mud, and could easily be deepened by dredging. The hon. member had made another mistake in saying that this canal would be of no use, and that only two or three vessels a year would navigate it. In place of this it appears that 218 brigs and sloops had passed along the Eastern division of 22 miles between last April and October; and that between the opening of the canal in October and the present month, 130 brigs and sloops navigated the whole line from sea to sea. Some of these vessels came from the coast of Ireland and Liverpool on the Western side, and from as far as Yarmouth on the Eastern coast. The trade from the Westward consisted of coals, slates, and lime. Flax was also brought from Ireland to Aberdeen. Herrings were sent from the Eastern coast of Scotland to Ireland; grain to Liverpool, and general cargoes to Glasgow. Twenty-six cargoes of Highland wood, formerly of no use for want of a means of carriage, were sent for the use of the collieries of Newcastle and Sunderland, and coals brought back in return; and from the same part of the Highlands 1,500,000 of barrel staves had been sent within a very short period. So far, therefore, as a trial had been made of the canal, it had proved highly useful; and it was fair to conclude that it would become a very great public benefit. When completed there is every reason to expect that nearly all the trade which now went round the north of Scotland would be carried by this canal; for a voyage of 300 miles would be saved, that was exposed to the greatest dangers. It was proved before committees of the House, that the average loss of large vessels was ten or twelve a year, and that the average value of these vessels was 10,000*l.* a vessel, making an average of annual loss of 100,000*l.* to which was to be added a great loss of lives. The canal would put an end to all this loss; and certainly this was no small public object. In respect to the execution of the work of constructing this canal, it reflected the highest credit on the nation for the great talent displayed by all those who were concerned in it: the sea locks and the locks at Corpagh and Fort Augustus, were unequalled examples of the perfection of civil engineering. The greatest difficulties had arisen from the nature of the ground in which the locks were constructed, and the expense had unavoidably been very great; but these had been successfully surmounted, and there was every prospect of this canal answering all the expectations that were first formed of it.

Mr. *Hume* saw no reason why they should form a canal, at the expense of a million of money, for the benefit of certain Highland gentlemen who now came forward and demanded remuneration for damages alleged to have been done to their estates; whereas, in point of fact, 25,000*l.* would purchase the whole line of the canal, which was nothing but rocks and bogs. The public had been very badly treated by these Highland gentry; who preferred claims for damage alleged to have been done to their estates; totally forgetting the advantages they derived from the easy mode by which they could now transport their timber and other articles.

Mr. *Arbuthnot* said, that the canal was, in reality, completed, but some alterations and improvements were deemed necessary.

Mr. *W. Smith* said, that when so large a sum had been already voted, it would be bad policy to stop short now, and refuse a grant which was of comparatively small amount.

Mr. *Bennet* said, the House ought to know how long it would be before this work would be completed. He would grant an additional 25,000*l.* to finish the work; but there was a point at which they ought to stop. The question was, whether they were not throwing good money after bad? It was intended that the canal should be navigable for frigates and sloops of war, but this was found impossible; and but for the invention of steam vessels, the canal would have been totally useless. So much for the original intelligence which dictated the plan!

Mr. *Hume* asked, whether there was any estimate of the sum which would hereafter be required.

The *Chancellor of the Exchequer* said, he had read the estimate of the engineer with great regret, because, from that document it appeared, that 25,000*l.* would be necessary for next year. He felt the force of the observations of the hon. member for Shrewsbury: but he differed from him in thinking that they were throwing good money after bad. It certainly would be improper, having gone so far, to leave the canal in a situation next to useless. He pledged himself, however, not to ask for any more money, until a distinct statement of the whole probable expense was laid before the House.

Sir *H. Parnell* said, that the tolls on the trade would, in all probability, very soon defray the annual expense of maintaining the canal; and that there was no necessity of having steam-boats, because all the voyages he had already enumerated were made without their aid.

The resolution was agreed to.

COMPLAINT AGAINST "THE COURIER" NEWSPAPER.] Mr. *Bennet* said, that there had been put into his hand, a very short time back, the Courier newspaper of that evening, which pretended to give an account of the unpleasant transaction which took place in the House last night. As there were two holydays to intervene before the House would again meet, he took the earliest opportunity of bringing the subject under its notice as a statement in its nature calculated to revive those unpleasant feelings to which the transaction of last night had given rise, but which had happily subsided. He felt no hesitation in saying, that he knew of nothing so bad, so false and scandalous, or which showed more the malignity of the writer's heart, than the article in question. That it was false, must have been known to the writer; as the report of the debate in his own paper was directly the reverse of his comments.

Here the matter dropped; and the House adjourned.

HOUSE OF COMMONS.

Monday, April 21.

WAREHOUSING BILL.] Mr. Wallace having moved the third reading of this bill,

Mr. *Bright* said, he must call the attention of the House to the state of this bill, which ought to be made more perfect before it was suffered to pass into a law. The powers left in the hands of the lords of the Treasury and the commissioners of Excise were truly frightful, and put the interests of trade in the most perilous situation. For instance, the forfeiture of a ship was to be enacted by the bill, for the bare attempt to unload any part of a cargo once loaded, and the mitigation of this punishment was left with the lords of the Treasury.

Mr. *Wallace* said, he had a few amendments to propose, which he trusted would not meet the objections of the hon. gentleman. The first respected the bond required from the captains of ships. As that was found to work great inconvenience to trade, he proposed to abandon this provision, and substitute the bond of the owners. Another alteration related to goods removed from one port to another. At present, the bond of the first owner of the goods hung over him until they were delivered and regularly sold. He proposed to cancel the bond of the first owner in such cases, and take that of the purchaser instead of it. Another alteration regarded goods, which being imported for exportation might find a better price by being put into the home market. He would provide for that upon paying the difference. Another alteration would enable ship-owners to transfer stores which had not been consumed in a voyage, to another ship going on another destination. The next alteration went to apply the regulations on shipping coffee, which now applied only to plantation coffee, to all other kinds of coffee. He had extended the same regulations to rum, at the suggestion of the hon. member for Bristol. Another regulation affected the warehousing of East India goods, which took place at present under the 43rd Geo. 3rd. That act was to be repealed by the present bill; and it was necessary to make some provision for it. The last applied to the Irish linen trade, in which it had been intended to make some relaxation of the existing laws. The intention, however, had been mistaken; and the state of Ireland made it desirable that no irritation, however erroneous the grounds of it might be, should be added to the causes of the present disturbances. It was desirable, therefore, to replace that trade upon the same footing of exemptions as before. He concluded by submitting a series of verbal alterations pursuant to the objects which he had enumerated.

The amendments were agreed to, and the bill was passed.

IRISH TITHES COMPOSITION BILL.] On the motion of Mr. Goulburn, for going into a committee on this bill,

Mr. *Spring Rice* said, he gave every degree of credit to the government for their efforts to remove the ill feeling which at present existed between the clergy and the population of Ireland, and he would afford them every assistance in his power to render the measure before the House efficient. He thought, however, that against the bill as at present formed, certain objections might be advanced, which, if they were not removed, would disappoint the hopes of those for whose benefit it was intended. When this subject was formerly discussed, it was said, that individuals could not see their way through a proposition for the commutation of tithes; and they were told, that to speak of apportioning a fair and just income to the clergy of Ireland, was a vain waste of words. If, however, when his hon. friend (Mr. Hume) made a proposition on that point, due attention had been paid to it, they would not have been called upon, as was now the case, to legislate under such discouraging increased difficulties. With respect to commutation and composition, two circumstances were to be considered—whether the matter was left open for arrangement to both parties, or whether it was confined only to one of them? Last year they had been told, that a compulsory adjustment would not be listened to for a moment; but, in a bill now in progress through parliament (the Commutation bill), he was glad to find that principle was recognized. Not that he believed it would be found necessary to recur frequently to the compulsory clause; because he thought both parties would discover it to be their interest to come to an agreement as speedily as possible. With respect to the bill now before the House, he must say, that if the secretary for Ireland supposed that he could, under the existing state of affairs, call on parishes and their incumbents, to meet together amicably, he supposed that which was not likely to be realized; because it was asking them to come to an understanding at a moment when they were under the influence of passion and irritation. The true principle on which a measure for the commutation of tithes should proceed was, to look to that which the clergy actually received, to that which was tangible, and could be dealt with; whereas, the proposed measure went to give them indemnity for that which they might claim, but which, in fact, they never received. If they took the receipts of the clergy as the measure of commutation, they would lay hold of that which could be distinctly estimated; but, if they went by what the clergy claimed, they would be bound by no line, and it would be impossible to say what equivalent it would be proper to grant. He would put it to the gentlemen of Connaught, where tithe of potatoe was not paid, but where it might be claimed, whether they would grant to the clergy a commutation for that tithe which they did not receive? Anxiously wishing to make this bill as efficient as possible, he would throw out a few words, as to the course of proceeding which he thought ought to be pursued. He feared that in a bill of this description, which was altogether a bill of detail, it was next to impossible to reduce it to such a shape as would make it work well in its ordinary passage through the House. He, therefore, wished that it should be investigated in a committee above stairs, and be there viewed in all its provisions by men of all sides and parties. By this means it might be made agreeable to the government of Ireland, and moulded into a peace-offering to that distracted country.

Mr. *Goulburn* was of opinion that a bill involving such important interests could be more efficiently discussed in a committee of the whole House than in a committee above stairs, as the discussion would be conducted in a more regular and orderly manner; while all who were interested, and no others, were likely to attend. He would prefer it also to a select committee, as a limited number might not contain all those who were competent to assist and elucidate the question.

Mr. V. Fitzgerald and col. Barry argued in favour of referring the consideration of the measure to a committee above stairs; while sir J. Newport, Mr. Peel, sir H. Parnell, and col. Trench were of opinion that it could be more effectually discussed in a committee of the whole House.

Mr. *Hume* said, that if his motion of last year had been adopted, the committee would now have nearly gone through their labours, and probably established, instead of the present system, a general fund for the payment, not only of the Protestant but of the Catholic clergy of Ireland. The time was not far distant when they must resort to such a plan. The present system was full of hardship and injustice, and led to many scenes of outrage. As the bill was before them, he thought it might be more advantageously discussed in a committee of the whole House than above stairs.

Mr. *W. Smith* coincided with what had fallen from his hon. friend, and contended for that full inquiry into the system of tithes in Ireland; for the purpose of ascertaining some of the sources of those dreadful evils which afflicted that unhappy country.

The bill was ordered to be committed on Friday.

Irish Church Rates Bill.] On the order of the day for the second reading of this bill,

Sir *J. Newport* said, he must object to any measure that went to give to the ecclesiastical courts such extended powers as this bill went to bestow on them. As an instance of the power already possessed by that court, he would mention the case of a poor man who, for a non-payment of certain sums, was cited to appear at a place 65 miles from his home. The man appeared, but the person who cited him was not present; the poor man had to return home again, and for his travelling expenses he was allowed by the court the sum of 12*s.* 6*d.* The poor man was subsequently cited three or four times, and as often obliged to repair to different places, without being confronted with the party who appealed against him. There was also another clause in this bill, which he must oppose. He meant that which, in the case of there being no parish church, or in the event of the parish church being a ruin, enabled the archbishop or bishop to direct the parishioners to attend service in the next parish; by which means such parishioners would become (whether they so attended or not) liable to an equal proportion of the sess and charge of the parish to which they were recommended. Now, he would put a case not at all uncommon in Ireland. He would take a parish where there was no church, or where the church was a ruin, but the whole of the inhabitants of which were Catholics. Why should the recommendation of the bishop to attend service in the next parish, subject the inhabitants of that parish to a payment of a portion of the rates of a neighbouring parish, the great proportion of whose inhabitants were Protestants.

Mr. *Goulburn* assured the House, that the powers of the ecclesiastical courts would remain precisely the same, whether this bill were passed or not.

Mr. *Hume* contended, that the principles on which ecclesiastical courts proceeded were totally inconsistent with justice. These excessive rates were an enormous evil; and he was sure that the Irish people, upon whom they were so peculiarly oppressive, would not pay them much longer; but would effect the cure themselves by resisting the payment. Not more than one-fifth of the population of Ireland were Protestants; and it was not unlikely that that proportion would be soon reduced to a one hundred and fifth part. Was it, then, right to expect that such a population should be obliged to pay for the maintenance of a religious establishment to which they did not belong? He hoped they would discontinue to support such a system, and, if not relieved, that they would use physical force in order to avoid it [Hear, hear!]. Hon. members seemed alarmed at the expression; but it was his firm conviction, that if these acts of injustice were persisted in, matters must come to that extremity at last.

Mr. *V. Fitzgerald* protested against the use of such language. This doctrine was as calculated to inflame the minds of the Irish, as it was unbecoming any member of parliament to use in that House.

Mr. *Hume* said, that what he had uttered was his conscientious opinion respecting Ireland; and feeling it to be so, he did not conceive that any harm could arise there or elsewhere from speaking the truth. Having stated what he believed would be the event, he hoped government would endeavour to avert the calamity.

The bill was read a second time.

HOUSE OF COMMONS.

Monday, April 21.

ADDITIONAL PAPERS CONCERNING THE NEGOTIATIONS RELATIVE TO SPAIN.] The following Papers were presented to both Houses, by his majesty's command:

ADDITIONAL PAPERS.—SPAIN—FRANCE—PORTUGAL.

SPAIN.

No. 1.—Confidential Minute of Viscount Castlereagh on the Affairs of Spain. Communicated to the Courts of Austria, France, Prussia, and Russia in May, 1820.

(Extract.) The events which have occurred in Spain have, as might be expected, excited, in proportion as they have developed themselves, the utmost anxiety throughout Europe.

The British cabinet upon this as upon all other occasions, is ever ready to deliberate with those of the allies, and will unreservedly explain itself upon this great question of common interest; but as to the form in which it may be prudent to conduct these deliberations, they conceive, they cannot too early recommend that course of deliberation which will excite the least attention or alarm, or which can least provoke jealousy in the minds of the Spanish nation or government. In this view, it appears to them advisable, studiously to avoid any re-union of the sovereigns—to abstain, at least in the present stage of the question, from charging any ostensible conference with commission to deliberate on the affairs of Spain. They conceive it preferable that their intercourse should be limited to those confidential communications between the cabinets which are, in themselves, best adapted to approximate ideas, and to lead, as far as may be, to the adoption of common principles, rather than to hazard a discussion in a ministerial conference, which, from the necessarily limited powers of the individuals composing it, must ever be better fitted to execute a purpose already decided upon, than to frame a course of policy under delicate and difficult circumstances.

There seems the less motive for precipitating any step of this nature in the case immediately under consideration, as, from all the information which reaches us, there exists in Spain no order of things upon which to deliberate; nor as yet any governing authority with which foreign powers can communicate.

The king's authority, for the moment at least, seems to be dissolved. His majesty is represented, in the last despatches from Madrid, as having wholly abandoned himself to the tide of events, and as conceding whatever is called for by the provisional Junta and the clubs.

The authority of the provisional government does not appear to extend beyond the two Castilles and a part of Andalusia:—Distinct local authorities prevail in the various provinces, and the king's personal safety is regarded as extremely liable to be hazarded, by any step which might lay him open to the suspicion of entertaining a design to bring about a counter-revolution, whether by internal or external means.

This important subject having been referred to, and considered by the duke of Wellington, his memorandum accompanies this minute.—His grace does not hesitate, upon his intimate experience of Spanish affairs, to pronounce, that the Spanish nation is, of all the European people, that, which will least brook any interference from abroad; he states the many instances in which, during the last war, this distinguishing trait of national character rendered them obstinately blind to the most pressing considerations of public safety: he states the imminent danger in which the suspicion of foreign interference, and more especially of interference on the part of France, is likely to involve the king—and he further describes the difficulties which would oppose themselves to any military operations in Spain, undertaken for the purpose of reducing, by force, the nation to submit themselves to an order of things, to be either suggested or prescribed to them from without.

Sir Henry Wellesley has, in coincidence with this opinion, reported the alarm which the intended mission of M. de La Tour du Pin had excited at Madrid, the prejudice which, in the opinion of all the foreign ministers at Madrid, it was calculated to occasion to the king's interests and possible safety. He also reports the steps which it was in contemplation to have adopted on the part of the king to endeavour to prevent the French minister from prosecuting his journey to Madrid, when the intelligence of the abandonment of the mission was received from Paris.

At all events, therefore, until some central authority shall establish itself in Spain, all notion of operating upon her councils seems utterly impracticable; and calculated to lead to no other possible result, than that of compromising either the king or the allies, or probably both.

The present state of Spain, no doubt, seriously extends the range of political agitation in Europe, but it must nevertheless be admitted, that there is no portion of Europe of equal magnitude, in which such a revolution could have happened, less likely to menace other states with that direct and imminent danger, which has always been regarded, at least in this country, as alone constituting the case which would justify external interference. If the case is not such as to warrant such an interference—if we do not feel that we have at this moment either the right or the means to interfere with effect by force—if the semblance of such an interference is more likely to irritate than to overawe, and if we have proved, by experience, how little a Spanish government, whether of king or Cortes, is disposed to listen to advice from foreign states, is it not prudent at least to pause, before we assume an attitude which would seem to pledge us in the eyes of Europe to some decisive proceeding? Before we embark in such a measure, is it not expedient, at least, to ascertain with some degree of precision, what we really mean to do? This course of temperate and cautious policy, so befitting the occasion and the critical position in which the king is personally placed, will in no degree fetter our action, when, if ever, the case for acting shall arise.

In the mean time, as independent states, the allied powers may awaken, through their respective missions at Madrid, with not less effect than would attend any joint representation, a salutary apprehension of the consequences that might be produced by any violence offered to the king's person or family, or by any hostile measures directed against the Portuguese dominions in Europe, for the protection of which Great Britain is bound by specific treaty.

In conveying any such intimation, however, the utmost delicacy should be observed; and though it is to be presumed that the views and wishes of all the allied powers must be essentially the same, and that the sentiments they are likely to express cannot materially differ, it does not follow that they should speak either in their corporate character, or through any common organ—both which expedients would be calculated rather to offend, than to conciliate or persuade.

There can be no doubt of the general danger which menaces more or less the stability of all existing governments, from the principles which are afloat, and from the circumstances that so many states of Europe are now employed in the difficult task of casting anew their governments upon the representative principle—but the notion of revising, limiting or regulating the course of such experiments, either by foreign council or by foreign force, would be as dangerous to avow, as it would be impossible to execute; and the illusion too prevalent on this subject, should not be encouraged in our intercourse with the allies.—That circumstances might arise out of such experiments in any country directly menacing to the safety of other states, cannot be denied; and against such a danger, well ascertained, the allies may justifiably, and must in all prudence, be on their guard; but such is not the present case.—Fearful, as is the example which is furnished by Spain, of an army in revolt, and a monarch swearing to a constitution which contains in its frame hardly the semblance of a monarchy, there is no ground for apprehension that Europe is likely to be speedily endangered by Spanish arms.

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In this alliance, as in all other human arrangements, nothing is more likely to impair, or even to destroy its real utility, than any attempt to push its duties and its obligations beyond the sphere which its original conception and understood principles will warrant.—It was an union for the reconquest and liberation of a great proportion of the continent of Europe from the military dominion of France; and having subdued the conqueror, it took the state of possession, as established by the peace, under the protection of the alliance.—It never was, however, intended as an union for the government of the world, or for the superintendence of the internal affairs of other states.

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We shall be found in our place when actual danger menaces the system of Europe; but this country cannot, and will not, act upon abstract and speculative principles of precaution. The alliance which exists had no such purpose in view in it's original formation.—It was never so explained to parliament; if it had, most assuredly the sanction of parliament would never have been given to it; and it would now be a breach of faith, were the ministers of the Crown to acquiesce in a construction being put upon it, or were they to suffer themselves to be betrayed into a course of measures, inconsistent with those principles which they avowed at the time, and which they have since uniformly maintained both at home and abroad.

No. 2.—Instructions drawn up by the Marquis of Londonderry, and transferred to the Duke of Wellington, September 14, 1822.

(Extract.) With respect to Spain, there seems nothing to add to, or vary, in the course of policy hitherto pursued—Solicitude for the safety of the royal family—Observance of our engagements with Portugal—and a rigid abstinence from any interference in the internal affairs of that country—must be considered as forming the basis of his majesty's policy.

No. 3.—The Duke of Wellington to Mr. Secretary Canning.—Received November 7.

(Extract.) *Verona, October* 29, 1822.

I shall object to every thing, excepting that the allies should call upon France to explain herself; and then that they should recommend to her, if peace be her object, as it must be that of the other powers, that she should ask for the good offices of one of her allies, to explain to Spain her desire to remain at peace.

If the allies should agree to recommend this line, and should enter into no treaty, nor make any declaration, hostile to Spain, and France should then desire the good offices of England, I shall consent to give them. But if there should be any defensive treaty, or even declaration against Spain on the part of the allies, I shall consider it my duty to decline to become a party to either, and shall endeavour to make them feel, collectively, that the treaty or declaration will only render useless the efforts of the power which is to use its good offices to maintain peace; and I shall also decline to consent, on the part of my government, to use such good offices: but if pressed to do so, I shall take the demand *ad referendum*.

No. 4.—Mr. Secretary Canning to the Duke of Wellington.

(Extract.) *Foreign Office, Nov.* 8, 1822.

I am to signify to your grace his majesty's entire approbation of your conduct and language in respect to the affairs of Spain—and particularly of the determination not to promise the good offices of his majesty between that country and France, in any other case than that of a simple and specific request to that effect on the part of France, unaccompanied by "any treaty or any declaration of the allies hostile to Spain."

No. 5.—(Translation) Memorandum relative to the conduct of Spain; communicated by M. de Jabat to Mr. Secretary Canning, on the 18th February, 1823.

If proofs of the moderation of Spain, and of the little foundation with which she is accused of following the system of propagating her political principles, be required—here are three undeniable facts: The junta of Oporto applies in 1820 for Spanish troops; refused:—The government of Naples, in the beginning of 1821, makes the same request; refused:—In 1822, on the application of France, the French refugees, captain Nantil, &c. were made to retire 30 leagues into the country, whilst the generals Eguia, Abreu, &c. and the self-named regency were organizing bands of the faith at Bayonne and Perpignan.

In 1822 we declined the services of three French regiments of the Army of Observation. Up to this day, no French soldier or peasant can be cited whom we have seduced, armed, paid, and thrust into the bosom of his country to devastate it. We have not raised the tricolour flag; we have not refused to publish a generous and salutary amnesty; we have not invited to evening assemblies of etiquette French outlaws and conspirators; we have not tolerated that an individual at Madrid should invest himself publicly with the title of charge-d'affaires of the regency of France, whilst his excellency, M. de Lagarde was ambassador of his most Christian majesty, at the court of his Catholic majesty. In fine, we have done nothing (for these negative proofs might form too diffuse a catalogue)—we have done nothing against the French of those things which the French (that is to say the French government) have done against us; and we have done for the governments which excommunicate us, what none of them have done for us.

If there be any question of verbal or written disavowals, England has received the most solemn disavowals on the subject of Portugal; Austria on the subject of Italy; and Europe, especially in the memorable sitting of the 11th January 1823, has heard the representatives of Spain declare, in appealing for the truth of it to the history of what passed from 1808 to 1814, and from 1820 to 1823, both, 1st. That their country will never interfere with the internal affairs of other powers; and 2ndly. That neither will she consent to the scandalous dictation which it is wished to impose upon her.

FRANCE.

No. 1. — Mr. Secretary Canning to Sir Charles Stuart.

(Extract.) *Foreign Office, March* 31, 1823.

The article, of which I enclose a copy, is contained in the treaty between his majesty and the king of Spain of 1814, but has never been published. It was originally a secret article, but his majesty having declined agreeing to it as such (from the opinion that it ought to be communicated to his majesty's allies), its title was changed from that of a secret to a separate article. It formed part of the treaty communicated to the court of France in 1814, by the duke of Wellington, then his majesty's ambassador at Paris; but it was omitted in the copy of the treaty laid before parliament, at the express desire of the French government, signified by the prince de Talleyrand, then minister for foreign affairs.

M. de Chateaubriand will, I have no doubt, at once acknowledge that such an act of compliance with the wishes of the French government, enhances his majesty's claim upon France, to respect the solemn obligation of this article.

Your excellency will particularly remark to M. de Chateaubriand, that the treaty of 1814, was not negotiated till after our army had been withdrawn from Spain.

(Inclosure in No. 1.) Separate article.

His Catholic majesty engages, not to enter into any treaty or engagement with France of the nature of that known under the denomination of the family compact, nor any other which may affect the independence of Spain, which may be injurious to the interests of his Britannic majesty, or may be contrary to the strict alliance which is stipulated by the present treaty.

The present separate article shall form an integral part of the treaty of friendship and alliance signed on the fifth day of July, and shall have the same force and validity as if it was inserted, word for word, and shall be ratified, and the ratifications shall be exchanged within forty days, or sooner if possible.

In witness whereof, we, the undersigned plenipotentiaries have signed, in virtue of our respective full powers, the present separate article, and sealed it with the seals of our arms. Done at Madrid, this 5th day of July, 1814.

(L. S.) M. El Duque De San Carlos.
(L. S.) H. Wellesley.

No. 2. — Sir Charles Stuart to Mr. Secretary Canning.—Received April 10.

(Extract.) *Paris, April* 7, 1823.

M. de Chateaubriand assured me, that the French government are quite resolved to respect the obligations of the article which I communicated to him.

PORTUGAL.

No. 1. — Mr. Secretary Canning to Sir Charles Stuart.

(Extract.) *Foreign Office, Dec.* 3, 1822.

Your excellency will take an opportunity of obtaining from M. de Villèle some information respecting the nature of the recent communications between the French and the Portuguese governments.

No. 2.—Sir Charles Stuart to Mr. Secretary Canning.—Received December 15.

(Extract) *Paris, December* 12, 1822.

In answer to the inquiries I have been authorized to bring forward, respecting the nature of the communications which have taken place between this government and the court of Portugal, the duke Mathieu de Montmorency has shown me the correspondence of the French ministers with M. de Lesseps.

It appears from this correspondence, that M. Oliveira, the Portuguese chargé-d'affaires at this court, called upon M. de Villèle in the course of the summer, for the purpose of representing the anxiety to which the assembling of a French force on the Pyrenees had given rise at Lisbon, and of expressing a hope that his excellency would give him a full explanation of the views entertained by the French government, with respect to Portugal. M. de Villèle assured him, that nothing could warrant any feeling of uneasiness on the part of the Portuguese government; that the distance of that country had not permitted him to contemplate the possible effect, which the concentration of troops in France could produce upon a nation, with whose institutions or government the French ministers could have no desire to interfere.

No. 3. — (Translation) The Viscomte de Chateaubriand to the Portuguese Chargé-d'Affaires at Paris. Communicated by the Viscomte de Marcellus to Mr. Secretary Canning, March 7, 1823.

(Extract.)

The Portuguese government thinks fit to protest against the principle promulgated in the speech delivered by his majesty on the 28th of January, at the opening of the present session. The king of France has a right to hold to his people the language which he thinks proper; and it would be difficult to understand how the Portuguese government can take umbrage at a speech addressed to the deputies of France.

If the French army should be obliged to enter Spain, the Portuguese chargé-d'affaires will be at perfect liberty to quit the French territory, in conformity to the orders he has received from his court.

If the French government is forced to declare war against the Spanish government, it is, not to support political theories, but because her immediate safety and her essential interests are compromised by the internal transactions of Spain. France, not being in the same situation with regard to Portugal, sees no plausible motive to induce the government of his most faithful majesty, to renounce the relations of peace and friendship. France hopes that she shall not have to repel an unprovoked aggression; nor to maintain a defensive war, which would have no other foundation or pretext on the part of those who should declare it, than the promulgation of a principle on which the political law of France is founded.

As to future arrangements respecting the residence of consuls, the French government sees no occasion to enter into any arrangement upon that subject, because it has never been the intention of his most Christian majesty to recall, either his chargé-d'affaires or his consuls, from Portugal. He will in future adopt such measures as may be consistent with his dignity. The undersigned, &c.

(Signed) Chateaubriand.

No. 4.—(Translation.) M. de Chateaubriand to the French Chargé d'affaires at Lisbon. Communicated by Viscomte Marcellus to Mr. Secretary Canning, February 3, 1823.

(Extract.) *Paris, January* 30, 1823.

The letter which I had the honour of writing to you on the 13th of the present month, confirms all those which my predecessor had addressed to you, respecting the friendly dispositions of France towards Portugal.

You have constantly been instructed to assure that government, that our armaments were not directed against Portugal;—that the maintaining a body of troops in the vicinity of the Pyrennees had no other object than to place us in a state of defence, should our territory or our institutions be menaced by Spain; and should the conduct of that power render a rupture unavoidable;—but that we separated the cause of Spain from that of Portugal, against which power we had no complaint; and that we wished not to see our relations with her interrupted.

No. 5.—Sir Charles Stuart to Mr. Secretary Canning.—Received April 20.

Paris, April 17, 1823.

Sir;—The Portuguese chargé-d'affaires at this court has addressed a note to the Viscomte de Chateaubriand, stating, that, in virtue of the instructions he has received from his government, he considers the relations of amity between the two countries to have been interrupted, from the moment the French army crossed the frontier of Spain, and that he must, therefore, demand his passports.

This communication has been answered by a note from M. de Chateaubriand, referring to his former declarations, that it is the desire and intention of his most Christian majesty's government to continue at peace with Portugal; that if, however, the manifestation of these friendly sentiments will not induce Monsieur de Sampayo to suspend the execution of his orders, until the result of a reference to Lisbon shall be known, his passports will be delivered to him; but that the French ministers do not think it necessary, on that account to withdraw the chargé-d'affaires, or the consular agents, who are actually employed in Portugal to maintain the usual relations between the two courts. I have the honour to be, &c.

(Signed) Charles Stuart.

Usury Laws.]—Mr. Serjeant *Onslow*, in rising to ask for leave to bring in a bill to repeal the Usury Laws, said, that he was encouraged to do so by the recommendation of a committee of that House, which had taken the subject into full consideration. After reading the resolutions to which that committee had come, in 1818, and contending, that if the conclusions which it had then formed were correct, nothing had since occurred to invalidate them, he took a rapid review of the usury laws of this country, from their origin down to the present time, and insisted that they were not founded upon any principle of policy, but had their rise in religious prejudices. The learned serjeant quoted the authority of several writers, and the opinions of several witnesses examined before the committee, showing the inconveniences of a rate of interest fixed by law, without reference to circumstance, and concluded by moving "That leave be given to bring in a bill to repeal the Usury laws."

Leave was given to bring in the bill.

Irish Government.]—Mr. C. *Grant* asked the patient indulgence of the House whilst he addressed a few words to it upon a subject in which he might be considered personally interested. The House would recollect, that in the debate of Thursday, certain observations had been made by the president of the board of control, relative to the administration of Ireland for some years back. Now, it had gone forth to the world, that it was the opinion of his right hon. friend that all the governments of Ireland, preceding that of the marquis of Wellesley, had been partial in the administration of justice. As far as his recollection served, the words of his right hon. friend did not convey such an imputation; and he should not have thought it necessary to call the attention of the House to the circumstance, if an impression had not been made on the public mind, that such an imputation had been cast upon the government with which he had been connected. He was as fully convinced that his right hon. friend had no intention of making such an imputation, as he was that such an imputation, if made, would be perfectly without foundation.

Mr. *Wynn* said, he had no difficulty in stating, that he had no intention of imputing to any government of Ireland, or to any individual connected with it, any partiality in the administration of justice. If he conceived that any such partiality had been exercised, he should have felt it his bounden duty to bring it forward as a substantive charge. What he had stated had been to this effect—that in joining the administration he had reserved to himself the liberty of supporting, or originating either in council or in parliament, any proposition which might tend to ameliorate the condition of Ireland; amongst which he considered Catholic Emancipation to stand first and foremost. He had further stated, that the nomination of the marquis Wellesley as lord-lieutenant and of Mr. Plunkett, as attorney-general of Ireland, held out to him the prospect that a firm and conciliatory government was about to be established in Ireland. He had likewise stated his opinion, that the existing laws should be equally administered to all classes of his Majesty's subjects in that country; and that the Catholics should be permitted to enjoy their fair share of those advantages to which they were entitled. In stating this stipulation, he did not intend to make any imputation on the preceding governments of Ireland. He felt that, when all those who differed as to the mode of governing Ireland agreed in the necessity of doing all that could be done to conciliate it, nothing ought to be said that could by possibility lead to further difference of opinion.

Mr. Secretary *Peel* said, this subject he must claim for himself and for those with whom he had acted in the administration of Ireland, that they had acted with most perfect impartiality. He would say further, that a most scrupulous attention had been paid, to prevent the operation of any religious prejudices in the administration of justice. In any case where Protestants and Catholics were concerned in an outrage, instead of trusting to local representations, counsel of eminence were sent to the spot, and if there was a chance that they could not direct the administration of justice impartially, the law officers of the Crown were directed to take it into their own hands. So far from any religious distinction operating to an exclusion from offices to which they were legally admissible, he could say that in no one case had he made the inquiry, whether a candidate for office was Catholic or Protestant. In the whole of the six years that he was connected with the government of Ireland, he did not recollect a single instance in which any objection was ever made by any member of it to any individual because he was a Catholic. If his own particular feelings, as well as those of the other leading members of the administration, on the subject of the Catholic claims, had not been sufficient to produce impartiality in their conduct towards the Catholics, there were still two individuals in the administration—namely, the solicitor-general, and the chancellor of the exchequer for Ireland, who were distinguished for the zeal with which they advocated the right of their fellow countrymen to complete emancipation; and yet, though he differed in opinion with those gentlemen upon that subject, he had never differed with them in opinion in any question that related to the administration of justice, or to the admission of Catholics into such offices as they were by law entitled to fill. With respect to his own readmission into office, he would frankly declare, that he never would have consented to enter into any administration, had he supposed that there was an impression in the minds of his colleagues that he had been guilty of any partiality in the administration of justice, or in the admission of individuals in office. He had been appointed to the post of secretary of state for the home department, and had been placed in direct correspondence with the marquis Wellesley; and he could assure the House, that as far as he was concerned he had done all in his power to carry that nobleman's designs into execution. It was impossible for him to acquiesce in any compliments that were made to himself at the expense of those with whom he had been connected; and he claimed credit for all of them, for having acted on the principles which he had already stated.

Reform of Parliament.] Mr. A. Pelham presented a petition from the county of Lincoln, praying a reform in parliament.

Mr. *A. Smith,* though not present at the meeting, was able to take upon himself to say, that it did not consist of more than 500, including men, women, and children. Much as the word had been stigmatized in the mouth of a noble duke, he would assert, that a more complete farce had never been played off than at the meeting at which this petition was agreed to.

Sir *R. Heron* maintained, that the meeting was extremely respectable. The amendment of major Cartwright for a radical reform, as it was called, was negatived most decisively, only about twenty hands having been held up in its favour. It had been said, that the majority was against reform; if so, why did not they effectually resist the petition? That the enemies of all reform were numerously assembled on that day, he would not deny; for, in the reading-room at Lincoln, he had never seen so large a collection of big-wigs, shovel-hats, and short petticoats in his life. They, however, had not thought it right to stand forward, and the petition was carried.

Colonel *Johnson* avowed himself a radical, however unpalatable the term might be in that House. He had seconded the amendment of major Cartwright, and was satisfied that the great majority of the people were in favour of reform.

Lord *Milton* said, that the duty had been imposed upon him of presenting the petition of the freeholders of Yorkshire. The petition, he might assert, was unanimously carried, and the persons assembled were at least ten times as numerous as at Lincoln; and generally it might be stated, that at least among the middling and inferior classes, great uniformity of opinion prevailed upon this question. When sixteen years ago, a contest took place for the county, every part of Yorkshire was ransacked for voters, and 23,070 came to the poll. To this petition no less than 17,083 names were affixed, forming two-thirds of the freeholders of Yorkshire. The utmost pains had been taken to exclude the names of persons who were not bona fide freeholders; and he did not believe, having gone over the whole of them, that there were fifty to which an exception could be reasonably made. One or two had signed as trustees, a few more as freeholders of Hull, and of York, who ought properly not to have been included, and he believed that the names of five females would be found upon the petition. Strictly, perhaps, they were out of their place, although, according to the scheme of reform of major Cartwright, they would be entitled to vote. With regard to the opinions of the petitioners, he entirely concurred in them. He had formerly, once or twice, voted against reform, but the conduct of the House had converted him to the persuasion that a reform was absolutely necessary. In this conversion he was not singular. The same change had taken place in the opinions of a man of most calm and sober judgment, the hon. member for Thetford. The same remark would apply to the noble member for Salisbury (lord Folkestone) a man of inflexible political integrity, though in some of his notions eccentric. A similar conversion had occurred in the case of a noble relation, one of the members for the county of Nottingham (lord W. Bentinck). The petitioners did not point out any particular course with respect to reform upon which they wished the House to proceed: and he approved of their silence upon that head. The House would do well to attend to opinions which were backed by the authority of more than 17,000 names; that list embodying, independent of respectable freeholders, absolutely a majority of the aristocracy of the county of York.—The noble lord, after declaring as his fixed opinion, that the House had long ceased to do its duty faithfully, moved, that the petition be brought up.

Mr. *Stuart Wortley,* although he willingly bore testimony to the excellent conduct of the meeting, and to the high respectability of the names affixed to the petition, yet dissented entirely from the opinions which that petition expressed.

Mr. *R. Colborne,* thought that the modern practice of publishing parliamentary debates, by subjecting public men to the influence of public opinion, had done much towards a practical reform.

The petition was then brought up and read. It was 380 feet in length.

Mr. *Sykes* reminded the House, that the signatures had been fairly and openly obtained, at a time when, from the general cheapness of provisions, there was little incitement to discontent. He believed that for the present petition, the friends of reform were a good deal indebted to the late member for Liverpool, who now held so distinguished a place in the councils of the Crown (Mr. Canning). That right hon member, in a speech at Liverpool, had pointedly alluded to the reformers of the county of York. The county of York by its petition now answered the right hon. gentleman.

Ordered to lie on the table.

CONDUCT OF THE SHERIFF OF DUBLIN.] Sir *F. Burdett* said, he rose in pursuance of the notice which he had given of a motion growing out of the discussion of a question of a former evening relative to the late trials in Dublin. It was a subject which nothing but a sense of imperative duty could induce him to undertake. All who heard him must have witnessed, on various occasions, how unpleasant and even dangerous it was, to touch upon any of the circumstances connected with the misfortunes of Ireland. That country was in such a state of peculiar difficulty, that no question really affecting its interest could be discussed without giving rise to irritated feeling; but at the same time that it was painful to witness this, it was also the duty of the House to find out some alleviation for the evils of that country, and to ameliorate its condition, seeing that that condition was so intimately interwoven with the welfare and happiness of the empire. It was time to put an end to a state, which was that of a smothered civil war continually breaking out into acts of mutual hostility. If he believed that the bringing under the consideration of the House any of the transactions of party in Ireland would, instead of palliating, tend to irritate still further the feelings of the country, he should be the last person who would not be desirous to draw the veil of oblivion over every past event in the sister kingdom. But he looked upon it as childish, idle and vain, to be apprehensive of discussing Irish questions from the fear of increasing party exasperation. It was like the dread of a superstitious person, who would not whistle in the storm for fear of increasing the wind. No one could doubt that events had taken place, from which had arisen the necessity of a full and free inquiry into the state of that unhappy country. When the subject with which his motion was connected was last under the discussion of the House, the hon. member for Armagh—who had introduced it with an eloquence which gave so much gratification to the House, and which he hoped would produce a beneficial effect to his country—had embraced a variety of topics, which he did not now propose to touch upon. He wished not to speak the language of party, or to deal out any measure of partiality on one side or the other. He knew the issue was regarded in the light of a trial between the contending parties, at the head of which were two high official persons—the attorney-general for Ireland and the high sheriff; the former of whom was entrusted with a power, which, however, he considered it oppressive and unconstitutional—he meant that of filing ex officio informations—formed no subject for their present consideration. With that authority, which allowed the attorney-general to put any man on his trial on his own bare suggestion, he had now nothing to do. But holding that high office, the learned gentleman had thought necessary to make a grave and serious charge against an officer, scarcely less intrusted with the care of the public welfare than himself. He thought, therefore, that this was a case in which the House was imperatively called upon to exercise those great inquisitorial functions which belonged to it, for the safety of the constitution and the protection of the liberty of the subject. He thought, too, that they could not, upon these grounds, refuse to accede to the motion with which he intended to conclude his address. The more he had considered this subject, the more gratified he was that he had not been called upon to give a distinct vote when the subject was last before the House. His first impression had been one of decided hostility to the attorney-general, against whom a heavy charge had been made; that of having put a man on his trial by virtue of an ex officio information, after an indictment preferred against him for the same offence had been thrown out by a grand jury. This had appeared at first to be a case of gross and unexampled oppression: but after hearing the statement of the right hon. gentleman, he felt that if ever a case had occurred in which the exercise of that power could be justified, this was the case. So far was he now from thinking, that this was an act of oppression on the part of the attorney-general, that he was of opinion he could not have pursued a more favourable mode towards the parties accused, than by first preferring an indictment before the grand jury, and, when he found that the ordinary courses of justice were obstructed, resorting to his ex officio information. He wished most sincerely that every other attorney-general would follow the example, and would not presume to file an information until after a grand jury had refused to find a bill; for if it were to be supposed that an attorney-general had been actuated by levity or malice, in filing an ex officio information after the rejection of a grand jury, the defendant would be greatly protected by this previous negation of the charge.—The hon. baronet then proceeded to examine the opinions of the writers who had treated of ex officio informations, and, inferring from them that they were generally unconstitutional, repeated, that this was perhaps the only case which had fallen within his observation in which their exercise was justifiable. The statements which had been made against the attorney-general had met with so decided a contradiction, that it would have been impossible for him (sir F. B.) to have concurred in a vote of censure against him. An hon. gentleman opposite wished a course to be adopted, by which neither a triumph nor the appearance of a triumph should be given to any of the parties into which Ireland was unhappily divided. Now, that course appeared to him to be the most mischievous that could be well imagined. To follow it would be to lose sight of that strict justice which the House was called upon to do between the right hon. gentleman and the grand jury. That hon. gentleman had seemed to consider it in the light of a contest between the Orange party and the Catholics of Ireland. If he (sir F. B.) had thought so, he should have been very unwilling to give a triumph to a minority of about half a million, and to have visited with discontent and despair, the great majority consisting of six millions of the people. But he must say that, with respect to the charge made against the right hon. gentleman, his own opinion of it had diminished to a small point before the speech of the hon. member for Armagh was concluded, when he had given up the point of the legality of his conduct, and only insisted upon his want of discretion. Upon that point he was not required to give an opinion. The hon. member for Armagh had asked, what was there, that was right to be done on one side of the channel, and not right to be done on the other? He would tell him, that impartial Englishmen, who looked to the customs and habits of their own country only, would find it impossible to form a fair opinion on a question like that, when they knew the extraordinary state of that country. There must be a general impression on the minds of Englishmen that there was no impartial justice in Ireland for the great bulk of the Roman Catholic population. That was his own impression; though he would not allow it to influence his consideration of questions in that House. But, when he saw the situation of the right hon. gentleman, endeavouring to reduce a party to the government of law, that had long domineered over the people, and checked and controlled the due course of justice—when he saw the strange anomaly of a lord-lieutenant in Ireland, willing and desirous to protect the whole people—when he saw the first law officer of the Crown anxious to secure the multitude against the vexations of organised and long-confirmed oppression, and trying the strength of the law, against the strength of a faction; when he saw this and took into view all the extraordinary circumstances of the situation of that country, he felt he should be culpable had he agreed to a vote which would have condemned a system intended to lead to equal justice and political amelioration. The right hon. and learned gentleman having in his own defence stated what affected the character of other persons, those other persons were unquestionably entitled to have the opportunity of answering the charges brought against them. At the same time, he did not think that the right hon. gentleman had been well treated by his own friends. For if they really had confidence in him, they should not have consented to suspend the opinion of parliament on his conduct; they should not have consented to leave him in a state of ambiguity—a state neither just nor satisfactory. He had not the slightest idea on what ground it was possible his motion for an inquiry could be opposed. He could not conceive what argument could be adduced against it. He was quite sure, that the learned gentleman himself would not oppose it. He was also convinced, that the friends of the learned gentleman would give it their support. Under these circumstances, he was, therefore, at a loss to imagine by whom the motion could be resisted. He understood, however, that an amendment would be moved, ordering the prosecution of the sheriff. He did not know whether he was justified in taking up the time of the House by touching on these points, and directing the attention of gentlemen to the motives and feelings of those who were likely to oppose his motion. He should, therefore, refrain from introducing topics which were likely to irritate either party; because he wished the House, for once, to come to a cool and dispassionate vote, perfectly free from party feeling and party prejudice. He must, however, say, that if such an amendment as that to which he had alluded were proposed, he could not accede to it; because it would involve a principle not strictly just and impartial. In the first place, it would be extremely improper to give the authority and weight of that House to an accusation of which they were not at present in a condition to judge. It would be extremely unfair for the House, so circumstanced, to take any step which might convey an opinion either on the one side or on the other. By the proceeding of the other night, the House seemed to agree, that an exact equilibrium should be preserved between the parties; and that at that time no further proceeding should take place. At the same time it was quite clear, that it was impossible the matter could be allowed to rest where it was. It would be extremely unjust, however, on the part of the House, to order a prosecution to be instituted against the sheriff, until they were in possession of the whole of the case, and it was with a view to put them in possession of the whole of the case that he should now move, "that the statement made by the attorney-general of Ireland, in his place, on the 15th day of April, respecting the proceedings on the trials of Forbes, Graham, and Handwich, renders it incumbent on this House to institute the strictest examination into the Conduct of the Sheriff of the city of Dublin on that occasion."

Mr. *Plunkett* said, he meant to trouble the House with a few observations on what had fallen from the hon. baronet. He begged leave, in the first instance, to assure him, that he did not mean to offer any opposition to the motion. He was, indeed, the last person in the House from whom such an opposition could be expected. He thought, however, that his case did not stand on the ground on which the hon. baronet had thought fit to place it. He had, it was true, in the discharge of his duty, exercised a power which appeared to give offence to some persons; and the question ultimately resolved itself into this—whether he had exercised a sound discretion in the application of that power? The opinion of the House was called for on this point—whether he had used his discretion unduly, oppressively, or improperly? It was not, whether, under the same circumstances, he should again exercise the same power—or whether, in the peculiar situation of Ireland, it was necessary to resort to his legal prerogative? These were not the disputed points. The question was—whether he had exercised the power entrusted to him with a fair and honest intention? It was not because others would, perhaps, under similar circumstances, have acted differently, that he was to be censured. Different individuals would take different views of the expediency or inexpediency of exercising a discretionary power; but still their intentions might be equally pure and upright. The situation of a public functionary would be most lamentable, if, because he differed from others in the use of a discretionary power, he was, therefore, to become the object of censure, no matter how just and proper his motives were. In order to make a public functionary the fair object of censure, the House must arrive at this conclusion,—that he had acted on some sinister principle. If what he had done, and which he considered neither unconstitutional nor illegal, came to be inquired into, no censure could be directed against him, unless the House was of opinion that he had acted from a love of oppression, from a malicious intention, or from some other base and unworthy motive. If they could not arrive at this opinion, he was discharged from all matter of accusation. He thanked the hon. baronet for the fair and candid mode in which he had brought forward this proposition; and he would do him the justice to say, that on no occasion did he ever forsake that gentlemanly urbanity of manners which he had displayed that night. Under the circumstances of the case, he (Mr. P.) had, on a former evening, stated the reasons which induced him to act as he had done. He, however, knew, that the statement which he had then made for the purpose of absolving himself, must of necessity draw after it this inquiry. But he would ask whether this brought the question to the point—whether, in exercising his legal power, he was, or was not censurable? In his opinion it clearly did not. If he brought forward charges against individuals, he might on that account, lay himself open to the censure of the House; but that censure could have nothing to do with his conduct in the exercise of his legal prerogative. Having stated the general grounds on which he conceived his conduct to have been justifiable, he next stated the particular grounds on which, as it appeared to him, it became peculiarly necessary that he should adopt the discretion which had given rise to so much animadversion. In the course of that statement, he certainly had advanced matter which involved a very high censure on an individual holding a situation of great importance. What he asked of the House to give him credit for on that occasion was, not that the charge was exactly as he had stated it—not that he knew it of his own knowledge to be a perfect truth—but that it was conveyed to his mind in such a manner, as fully impressed him with an idea of its truth. Now he would ask, if he were completely satisfied in his own mind that those facts were true, was he not justified in acting on that impression? It was a case of very great importance to the country—it was a case in which he felt that justice ought to be done as speedily as possible; and therefore he proceeded by the readiest mode. Was he, under all the circumstances, to forego any proceedings against the rioters, until he could procure affidavits which would enable him to institute a prosecution against the sheriff? If he had done so, he thought it would have been a gross violation of his duty. The only question, therefore, was—whether he had that reasonable conviction in his mind of the truth of those facts which would form a fair ground for adopting the proceedings to which he had resorted? He certainly felt that conviction; and therefore he contended, that the proposed inquiry was one in which he had no more interest than the hon. baronet, or any other person in that House; except that he should be sorry if, by any chance, it could be supposed that he brought a charge against a public officer lightly or unadvisedly. He meant not to allege any thing which could give rise to acrimonious feeling; but this he would say, that his suspicions with respect to the conduct of the sheriff were not removed, but were considerably strengthened, by what had since taken place. He had no hesitation in declaring, that he thought the conduct of the sheriff was a very proper object for prosecution. He deemed it right now to state, without meaning to interfere with any course which the House might think proper to pursue, that if the business were not taken out of his hands by the House, it was his intention to institute such a prosecution, for the purpose of arriving at the real justice of the case. He agreed with the hon. baronet that it would be an essential denial of justice, if the sheriff were not afforded an opportunity of entering on his defence. If the House proceeded with this inquiry, the case would, of course, be taken out of his hands. If, however, the House declined interfering, he would institute such a prosecution as the case called for.—Having said thus much, it would, perhaps, be expected that he should give some explanation to the House, as to his not having proceeded sooner. It might be asked, "Why did you not proceed against the sheriff before, if you considered him liable to prosecution?" He would, in answer to that question, state what must appear to every candid mind a full and sufficient reason. He had received the information with respect to the conduct of the sheriff from different quarters. As that information reached him, he communicated it to the lord lieutenant; and it was from time to time communicated to his majesty's government. To show, that the idea of a prosecution was no after-thought, he had to observe, that he had stated to the government, that it would be a matter of grave and serious consideration, whether a prosecution should not be instituted against the sheriff for his conduct in empanelling the grand jury. From the first moment the information was given to him relative to the manner in which the sheriff had conducted himself, the impression was strong on his mind that the matter must be probed to the bottom. The trial of the rioters commenced on the 24th or

25th of Jan., and certainly that was not the fit time for instituting a prosecution. Mr. Sheriff Thorpe was the person by whom the panel for the grand jury was returned. At his (Mr. P.'s) desire, he wished the two sheriffs to join in that panel, the thing being perfectly legal: he conceived that would have been the better way, as two of the traversers were related to Mr. Sheriff Thorpe. The fact, however, was, that the panel was signed only by Mr. Sheriff Thorpe, for though he showed it to his brother sheriff, no alteration was made in it. He, however, had hoped that the petty jury for the trial of the traversers would have been differently returned; and that thus a fair trial would take place. Therefore it was, that he did not think it necessary to stop the proceedings, for the purpose of prosecuting one of the sheriffs. Soon after his arrival in town, the hon. member for Armagh gave notice of a charge which he meant to bring against him in that House. He asked, whether he would have been justified if, when accusations were pending against himself, he had instituted a prosecution against the sheriff. When the hon. member for Armagh gave notice of his motion, he (Mr. P.) entreated that it might be brought forward immediately. He complained of having that charge suspended over his head for two months. Until five minutes before he stood up to defend himself, he did not know what the specific accusation against him would be. If, under these circumstances, he had instituted a proceeding against the sheriff, would it not have been said, that it was intended as a set-off against the accusation levelled at himself? As regarded himself, he thought the question had been completely disposed of the other evening; as the proposition that he was not influenced by any undue motive in the exercise of his discretion was acquiesced in. As regarded the sheriff, he repeated, that if the House did not take the matter out of his hands, he would institute a prosecution. He must do it also by the unfavourite mode of an ex-officio information; for as to applying to a grand jury of the county of Dublin to find a bill against the high sheriff, that would be utterly useless. He should file an ex-officio information, and he should next apply to the court of King's-bench, that the case might be tried at the bar of that court, but that the venue might be directed to come from another county. The sheriff would then have an opportunity, by the testimony of witnesses, and by other legal means, to make his defence. If, on the other hand, the House resolved to enter on an immediate inquiry, to that course he could not possibly entertain the slightest objection. But as in the event of the institution of a prosecution, he should be called upon to prosecute, it was not his intention to give his vote either for or against the motion. He, however, perfectly agreed with the hon. baronet, that it would be rank injustice if the sheriff, who wished to vindicate his character, were shut out from a fair opportunity of entering on that vindication.

Mr. *Denman* was of opinion, that the defence entered into on a former occasion by the learned gentleman did not excuse him, even if it were made out in evidence; and, if it were not substantiated by evidence, it really amounted to nothing. He thought the best way of showing the upright conduct of the learned gentleman would be, not by dragging forward another public functionary, but by entering on his own justification, when the question was fairly introduced. He thought the motion of the hon. member for Armagh had been very properly worded, because the offence complained of was, that recourse had been had to an ex-officio information, after the law officer of the Crown had taken his chance with a grand jury. He could not but look with astonishment at the circumstances out of which the proceedings arose. How a play-house riot, even though it might have been previously concerted, could be converted into high treason, and how, under such a charge individuals could be kept in prison for several days, was what he could not understand.

Mr. *Plunkett* denied that any charge of high treason had been made.

Mr. *Denman* said, that undoubtedly the parties were sent to prison and confined there for ten days, because it was stated that there offence was an attempt to assassinate the lord-lieutenant, the king's deputy in Ireland; though that charge was subsequently withdrawn, and neither the grand nor the petty jury was called on to say, whether a plan had been laid to assassinate the lord-lieutenant. He, if placed in the situation of a grand juror, would have treated the charge with contempt. Looking to the information which he now had on the subject, he would have thrown out the bill. He had read the trial with great attention, and, on his oath, he would state, that he believed there was no intention to molest the lord-lieutenant, before the parties went to the play-house. That there was a concerted plan to riot he believed; but, in his opinion, the throwing of the bottle was the act of a drunken individual. That it was aimed at the head of the lord-lieutenant was negatived by every witness. As to the flinging of the rattle, it was the act of a journeyman shoemaker, a boy of 18 years of age; and certainly it would have been more magnanimous in the Irish government to have overlooked the offence, rather than to have visited it with the severities of an ex-officio prosecution. He would not compare the conduct of the attorney-general in pursuing this course to that of Judge Jefferies, or of Mr. Justice Whitshed, who sent the jury back nine times, for the purpose of securing a verdict against the publisher of Dr .Swift's Drapier's Letters; but certainly he was of opinion, that a public officer went greatly beyond his duty, when he threw reproach on a grand jury, and then turned round and declared, that he would use the power which was placed in his hands to contravene the decision of the jury. The learned gentleman must have known that there was a strong spirit of party in Ireland; and if he thought that it was unsafe for him to submit his case to the determination of a grand jury, that would have been a proper ground for the exercise of his power in filing an ex-officio information. But, when he had taken his chance, and his bill was ignored, it was not right to appeal from the grand jury to himself, and instead of resting satisfied with their decision, to resort to the prerogative. If the grand jury were worthy of reproach, it was not right that they should escape it; but it would have been more regular, if the charge against them had been reserved for some other occasion. He did not know at what period it had come to the learned gentleman's knowledge, that those gross mal-practices were committed by the grand jury of Dublin: but, if it were known, at the time when the proceedings against the rioters commenced, that Mr. Sheriff Thorpe prevented his brother sheriff from taking any part in striking the panel, that two of the traversers were his relations, that he declared the traversers had nothing to fear because he had struck an Orange panel, then the question was, why were not these offences marked out and punished? If these allegations were founded in fact, the story of the bottle and the rattle shrunk into complete insignificance; because the statement tended to prove, that the stream of justice was polluted at its very source. If it were so, the learned gentleman should have taken the earliest opportunity to vindicate the insulted laws of his country. Instead of filing informations against a few journeymen, who appeared to have been excited by one person in a higher rank of life, he should have selected a victim worthy of his indignation. He should have instantly brought the sheriff to justice. Instead of that, from January to April, no blame was thrown on the conduct of the sheriff, until the conduct of the learned gentleman happened to be arraigned. It was said by the learned gentleman, that a public functionary was not to be lightly dealt with. He agreed in that proposition. How the sheriff would apply it to his own case, he knew not; but certainly he would have a right to complain that he was hardly dealt with, if his conduct did not command that inquiry which he looked for and courted. The learned gentleman had argued, that unless it was shown that he acted from corrupt motives, he was not liable to censure. But, what the House were afraid of were, the evil consequences which might flow from a bad precedent. If they saw an invidious power badly exercised, that was sufficient to warrant their interference. The attack which the learned gentleman had made on another party was infinitely more serious than that which had been made on himself. It had created very great disappointment, that a motion which had been levelled at the attorney-general for Ireland should be met by the other orders of the day. Either party who acquiesced in that amendment, acquiesced in his own shame. He was sorry that this had been treated as a party question. It was very improper, when the matter was brought before a jury of the country, to treat the persons implicated in the offence as part of "a gang." They had been spoken of as a mere branch, from the great Orange society in Ireland; than which nothing, so far as the evidence went, could be more unfounded. He would not touch on the merits of those people, let them be called by whatever name gentlemen pleased. He viewed them only as subjects of the state. He might be told that they were enemies to liberty; but he was glad to find them resorting to the laws of the country, to defend themselves against an oppressive power. Were they not English subjects? And if so, had they been treated according to the principles of the English constitution? It was not dealing fairly with them to place them on their trial as Orangemen. It was stated, that one of them was a great Orange agent, and was with difficulty prevented, by an armed force, from dressing the statue of king William. But there was no proof given of that fact. Again, it was said, that the conspiracy was got up at the Orange-lodge where those parties met. Now, it did not appear that they had assembled in an Orange society: but the fact was assumed, because they met at a house where an Orange-lodge was in the habit of assembling.—With respect to the proposed inquiry into the conduct of the sheriff, he must say, that if one officer charged another with improper conduct, he thought the proceedings of both ought to be inquired into. It was one of the great grievances of Ireland, that the system of English law had never been fairly tried there. The manner in which juries were empanelled was peculiarly objectionable. He could not forget the unhappy affair at Manchester, where some hundreds of people, who were peaceably assembled, and for a peaceable purpose, were trampled down by an armed force. It was admitted, that hundreds were destroyed on that occasion; but the House were called on not to notice that business, because, forsooth, the grand jury of Lancashire had thrown out bills connected with it. The duty of the House was however, to investigate such abuses. When the comparative merits of attorney-generals and grand juries were talked of, he would freely say, that he preferred the decision of the worst possible grand jury to the best attorney-general. Such a jury might possibly be impartial; but there was almost an impossibility that an attorney-general could be so in particular cases; he being *ex necessitate* a party man. The charge here was of immense importance; it was not one for attorney-generals, or grand juries, or judges to try; but for the great tribunal of parliament itself. Let them show the people of Ireland that they had a paternal legislature to protect them, which they were entitled to enjoy as long as they showed themselves worthy of its enjoyment.

Mr. *Bankes* was of opinion, that the attorney-general for Ireland had shown a leaning in the prosecution against one party, which it would have been well for the calm purposes of justice if he had avoided. But he did not think this to be that sort of case which called for the exercise of the inquisitorial powers of parliament.

Lord *Milton* thought, that the attorney-general for Ireland laboured under some misapprehension respecting the effect of the former debate. That learned gentleman now assumed, that he had obtained an acquittal, by the House passing to the other orders of the day; as if there was an inseparable identity between the merits of his case, and the demerits of the high sheriff. The impression made upon the House by the speech of the attorney-general had an effect unfavourable to the sheriff and the jury, but favourable to himself; but the learned gentleman should not conclude, that although the House might look unfavourably on the sheriff, they were at all satisfied with the conduct of the attorney-general. The learned gentleman had talked of corruption. No corruption whatever was imputed to him. There was indeed a charge of indiscreet exercise of authority; and had the motion of the member for Armagh been confined to that charge, he would have voted for it. The learned gentleman would now get out of the motion of the hon. baronet, by telling the House somewhat tardily, that he intended to prosecute the sheriff of Dublin. But instead of complaining of the member for Armagh for hanging the charge over his head for two months, he ought to be grateful to him for having given him an excuse for not sooner prosecuting the sheriff. If there were grounds for the transactions imputed to the sheriff of Dublin, there might be grounds for similar transactions throughout Ireland. At the bar of that House, and no where else, ought such an inquiry to be made; not so much with a view of punishing this identical sheriff, if guilty, as of holding out a warning to the sheriffs of Ireland generally.

Mr. *Brownlow* said, he persevered in his opinion, that the conduct of the attorney-general for Ireland had been harsh, unprecedented, and unconstitutional. He hoped, that upon the present occasion there would be one unanimous feeling of the irresistible necessity of an inquiry, at the bar of that House, into the conduct of the high sheriff, in order that, should he be found as guilty as he believed him innocent, he should receive that punishment which such misconduct deserved, and that they might have it in their power to eradicate, root and branch, the whole system which had fostered such a monstrous abuse of power. The attorney-general had informed the House, that he was obliged to have recourse to a harsh and injurious exercise of the prerogative, in consequence of the conduct of the sheriff, who had conspired to prevent the ends of justice from being attained. The learned gentleman had said in his place, that the jury were packed. Now, he was informed, that nineteen out of the twenty-three grand jurors who ignored the bill of indictment, usually sat as grand jurors; that their names appeared in every panel for ten years back; and that during that time they had frequently received the thanks of the judges for their upright and impartial conduct. It had been stated by the attorney-general, that one of the traversers was the first cousin of the sheriff. Now, he was no more connected with the sheriff than he was with the learned gentleman himself. The attorney-general had informed the House, that a Mr. Poole applied to the sheriff to be put on a jury; that the sheriff had consented, but that, subsequently, Mr. Poole having expressed his inclination to carry into effect the conciliatory views of the king's letter, he was not put on the jury. The high sheriff had informed him (Mr. B.), that three weeks before the jury was impanelled, Mr. Poole begged to be put on the grand jury. The sheriff said, he would submit his name to his colleague. In the mean time, a letter was addressed to the sheriffs by the Crown solicitors, by the orders of the attorney-general, requesting that both the sheriffs should join in making out the panel. Mr. Poole renewed his application to be put on the grand jury, when the sheriffs informed him that they felt the necessity of being cautious, and that he had disqualified himself by the applications he had made. Mr. Sheriff Thorpe asked what reason he had for pressing the application? "I'll tell you," said Mr. Poole; "the case of a Mr. O'Mara is to come before the grand jury. I am acquainted with facts, connected with that case, which are not known to the rest of the jury. I wish to be on the grand jury that justice may be done to Mr. O'Mara. Put me on the jury, and I'll give you my word not to divide on the question of the playhouse riots." The sheriff replied, that nothing (after such a declaration) would induce him to put Mr. Poole on the jury. With respect to the conduct of the grand jury, there was no notice of motion respecting them, but he was authorized to say, that every thing the attorney-general had said with respect to them was incorrect and unfounded. The attorney-general had been misled and misinformed by some calumniator. The attorney-general had said, that a witness of the name of Moran had been produced before the grand jury, and that but two questions had been put to him when he was shown to the door; the jury authorized him (Mr. B.) to state, that the witness was asked a greater number of questions in the grand jury room than he was asked on the trial.—Now, he would state to the House the nature of the evidence, as far as rumour went, given on the other side. It was said, that the attorney-general had received information, that a person, seated in the pit on the night of the riot, could give material information relative to the throwing of the murderous bottle, and which, by the by, was stated to have fallen in the middle of the orchestra. That bottle, if thrown at all, might, for aught which appeared to the contrary, have been directed as much against lord Combermere as against the lord-lieutenant. The man who so offered his evidence, said, on his examination, that on the night in question he had seen a person in the pit, drinking a bottle of porter (not spirits), and after drinking the contents of the bottle, he chucked it over the stage lights. "Very well," said the attorney-general, and the witness was immediately shown to the door. He might go on multiplying similar statements, for the purpose of showing how many falsities were uttered upon the one side as well as the other; but the instance which he had adduced was sufficient to show how little belief was to be attached to such statements on either side. Perhaps it would surprise the House to hear, that a person now dead had made affidavit to a person now living, and who could be produced, that Graham was not the man who threw the bottle, for that he himself had thrown it, and that on his death-bed he felt it necessary to declare that he had done so. The hon. member, in conclusion, alluded to the oppressive effect which an ex-officio information must necessarily have upon the interests of Mr. Thorpe, who, though acquitted, must bear the expense, as well as the disgrace, of such a proceeding.

Mr. *Goulburn* said, that if circumstances called for inquiry, he certainly should prefer the course proposed by his learned friend the attorney-general to that recommended by the hon. baronet. The House must perceive, that the question as it now stood, let it take what course it would, no longer involved the conduct of his learned friend or the Irish government. The question to be considered by the House was—not whether any suspicion could attach to the conduct of the attorney-general—not whether he had committed any error in judgment—but whether, upon the whole of the facts, there was *prima facie* ground to justify the course which his right hon. friend had pursued, whether the facts were sufficiently strong and well authenticated to make it his duty to pursue such a line of conduct? His hon. friend, who spoke last, had himself stated, that nothing more could be attributed to his right hon. friend than an indiscreet and unwise exercise of the power vested in him by law. Upon the late discussion he (Mr. G.) had agreed to accept the course proposed by his hon. friend (Mr. Bankes), not because that course was most satisfactory to the attorney-general or himself, but because such a course was likely to be most conciliatory to all the parties concerned. The real question for the consideration of the House was, whether the inquiry should be by examination at the bar, or whether it should be proceeded in in the manner proposed by the attorney-general? He was determined to vote against the motion of the hon. baronet, because the course which he proposed was not likely to do justice to the character of the sheriff, or elicit the whole facts of the case. Supposing the sheriff to be called to the bar, what could he offer in answer to depositions upon oath, except the statements of persons who could not be sworn? This, instead of serving the sheriff, would be productive of injury to his case. In his opinion, the course proposed by the attorney-general was by far the more preferable one. But there was a general principle which opposed still more strongly the course proposed by the hon. baronet. He meant the impolicy of that House allowing its dignity and high functions to be mixed up with questions which might and ought to be decided by inferior tribunals. He was aware that gentlemen on the other side might urge it as argument that the conduct of the sheriffs in this instance was only a specimen of what was to be expected from the Irish sheriffs generally. This he begged leave most positively to deny. The sheriffs of Ireland were, as a body, totally undeserving of such an imputation. The right hon. gentleman proceeded to argue, that it would be most unwise to institute an inquiry into the conduct of the high sheriff at the bar of the House, because, in that case, mere statements would be set up in opposition to evidence given upon oath. Such a proceeding, too, would be calculated to keep alive in Ireland those angry feelings which it was the wish of all prudent men to see extinguished. The statements made at the bar would be doled out to the public day by day—the proceedings would be continued from week to week—and finally, the House would arrive at no result which could satisfy the minds of any class of men. For these reasons, he should vote against the motion.

Colonel *Barry* said, that if this had been a case of slight personal delinquency on the part of the sheriff, he should not wish the House to interfere in it; but, from the whole tenor of the hon. baronet's speech, he was confirmed in the idea, that public justice demanded this investigation. He thought, moreover, that such an investigation was not likely to be at all successful in its object if carried on in Ireland; and that even an ex-officio information was not competent to attain it. He called, therefore, on that House, as they loved justice and detested calumny (and here he begged to say, that he was far indeed from meaning to impute to the right hon. gentleman any thing like a designed calumny) he called upon them to bring the parties on their floor. He could by no means agree with the right hon. gentleman, that his conduct was now out of all question, for it was not the law, but the facts of the case, upon which that question must turn. The only step, indeed, that the right hon. gentleman could take, was an ex-officio information; and that could not now be effectual in that country.

Sir *J. Newport* said, that, if the House showed an unwillingness to entertain this motion the dissentions in Ireland would be increased instead of being diminished. Certain members seemed to think, that the course proposed by the hon. baronet was injudicious. If such were the opinion, let the House at once abdicate its most important duty—let it renounce that which it ought to consider one of its most sacred obligations, the guardianship of the administration of justice. He was most anxious for the investigation of this question in this country, for another reason. In England the strength of public opinion was great. In Ireland there was no public. That country was divided into parties; but there was no public. If the question was investigated here, there would be nothing to hear from mutual animosity and conflicting passions. For this reason, he would support the motion. He could not see how it could be refused. The parties were on the spot and sought the inquiry. Two parties only had been mentioned in these transactions—the government, and the party which bearded that government. There was, however, a third party, which required justice from the House; namely, the people of Ireland.

Mr. *Spring Rice* observed, that the right hon. secretary for Ireland had said, that the discussion of the other night had entirely disposed of the whole question before the House. To that proposition he must give his unqualified dissent. He would not agree to any new rule for the government of affairs in Ireland, unless it could be shown that those affairs required a different rule from that which obtained in this country. He did think, however, that if such a state of things were ever to exist in England as had recently existed in Ireland, the king's attorney-general would have been justified in adopting the same proceedings as the learned gentleman had adopted. The present question did not regard any set of men, forming the government of Ireland; but whether the grand jury or sheriff of Dublin possessed the power to intercept or pervert the administration of justice? Last session he happened to be placed in the chair of a committee upon the local taxation of Dublin. On that occasion it appeared, that the taxation of Dublin was principally managed through the agency of the grand jury; and in the report of that committee, it was expressly stated, that the election of the grand jury appeared to be always made from the corporation; while persons who were not members of that body, whatever other qualifications they might possess, were excluded from serving as grand jurors. The same thing was asserted in a memorial laid before the lord-lieutenant in 1819, and the same inference was drawn; namely, that this sort of limitation was obviously calculated to defeat the ends of justice. The House would desert their duty to the country, if, from any circumstances of personal inconvenience, they should shrink from the proposed inquiry.

Mr. Secretary *Peel* said, it seemed to be agreed upon all sides, that, in justice to the high sheriff and to all the parties concerned, some inquiry should take place. The question, then, was, what was the best mode of making such inquiry? He conjured the House to confine itself, in the consideration of this subject, to the principles which had ever guided them on such occasions—principles which in this instance would, he trusted, be separated from all party feelings. He appealed to any man who heard him, whether the arguments adduced for inquiry at the bar of the House were sufficient to show that this case was an exception from the general rule? The hon. member for Limerick had said, that the conduct of the grand jury ought to be inquired into. Surely the hon. member must have forgotten the terms of the motion. In that the conduct of the sheriff only was included. If they were to go farther, let it be so stated; but if they were not, let them confine themselves to the question before them. But, supposing the conduct of the grand jury was to be examined, how were they to proceed? Were they to receive the evidence of those whom the grand jury had examined, or of those who stated that the grand jury had refused to examine them? If they did this, how were they to put the grand jury on their defence? How could they call upon them to disclose that which they were bound by oath to keep secret? This was not a case in which the political circumstances of Ireland could be taken into consideration. The noble member for Yorkshire had argued, that this was a case where the House was bound to inquire not only into the conduct of the sheriff of Dublin, but into the conduct of sheriffs generally. Now, this was opposed by the hon. member for Limerick, who stated, that the case was widely different from that of other sheriffs: and this was a reason which would induce him to send the case for inquiry to a court of justice, rather than to the bar of that House. From the loose statements made upon this question, most of which were contradicted as soon as made, the bar of the House, where parties could not be examined upon oath, was not so fit a place for inquiry into the circumstances as a court of justice, where an oath must be administered. This was not a case where there was a denial of justice, for the attorney-general for Ireland was ready to prosecute, if necessary. By instituting a process at their bar, the House would be adopting that course, for which some hon. members were so ready to blame the attorney-general; namely, taking the case out of the regular and ordinary administration of the law. There were, in the recollection of the House, instances where it had interfered. He alluded particularly to that of an hon. member (Mr. W. Quin), where the delay had been not merely from day to day, but from week to week. He did not say that the time of the House should not be so occupied, if occasion required; but he did think that if this inquiry were gone into at their bar, it would be found to extend to a most inconvenient length. Besides, in the case of a conviction on the part of the House, that some ulterior proceedings were called for, they must in the end send the matter to a court of justice; and that would be sending the sheriff to trial with a strong prejudice against him, arising from the decision of the House. It would, therefore, be much better to let the matter take its course before the ordinary tribunals of the country.

Mr. *Tierney* said, that if the question was merely whether the sheriff should be prosecuted in a court of law, or examined at the bar of that House, he would agree with the right hon. gentleman in the conclusion he had come to. But this was a greater and more important question. It was a question important to that part of the empire which had been incorporated with England by the Union. He would grant that the sheriff could not be formally tried at their bar, as he might be in a court of law; but he would contend, that the circumstances of this case were such as the House had a right to inquire into. The House, as the grand inquest of the nation, had assuredly a right to enter upon such inquiries as that now proposed. Let the House go back a few months into the history of this transaction. The blame arose out of what he would call the meritorious conduct of the attorney-general for Ireland; but, and he said it with great respect, it arose also out of a government of compromise; for while one half the cabinet was encouraging the cry of "No popery," the other half was saying, "We will prosecute you if you do." Well, after this sort of feeling in the cabinet was known, the lord-lieutenant went to the theatre; and there a riot, which all must lament, took place. Then the attorney-general appeared to prosecute the parties; first, for a conspiracy to kill and murder the king's lieutenant: that failing, he had recourse to an indictment for a conspiracy to riot; that failing, he tried an ex-officio information; and, that failing, the learned gentleman was himself put upon his trial. [Hear, hear.] It could not be said, that in this latter case the conduct of the sheriff was tried. That was postponed; but the trial of the one and the accusation of the other were so mixed up, that they could not tell which was prosecutor or which defendant. The learned gentleman, in his defence, had inculpated the sheriff. Were they now to be told that, after such inculpation, and after the parties accused had petitioned for a fair hearing, that that should be denied, and that the only answer which should be given to them was, that they were to be prosecuted at law by the very party whom they accused of calumniating them? This was an odd way of conciliating parties. It might be understood in Ireland; but certainly it was contrary to the notions of conciliation which prevailed in this country. It was another effect of that government of compromise to which he had before alluded. See what the situation of the House and of the learned gentleman would be, if he were directed to prosecute those parties in Ireland. With what countenance could he, their accuser here, appear officially against them in Ireland. Such a prosecution could not, in fairness, be carried on by the attorney-general. The office which he held would be degraded by it. But it was asked, would you put the grand jury on their trial by this motion? He answered—let the inquiry extend to all, and let the example tend to keep all corporate sheriffs in proper order. After the statement of the attorney-general, it would be injustice to all parties if inquiry were withheld. The refusal of the inquiry would tend still further to irritate the higher orders, and goad the lower to madness. Let the inquiry, then, go on at the bar of that House, and not by a prosecution by the attorney-general; for that would not be doing justice to the accused, nor would it satisfy the country.

Mr. Secretary *Canning* said, it had been urged, that if the House consented to go into an inquiry at their bar, it would draw all the topics of the agitated state of Ireland—all its practical grievances, and a consideration of the mode of redress—into discussion. He little doubted that it would take a wider range than the motion described. But surely that was not a reason why they should adopt it, if the object was, to come at the facts of the case before them. It was plain that the speeches of honourable members on the other side must be much narrowed to meet the object of the motion, or the motion must be much enlarged to meet their speeches. For his own part, in occupying the attention of the House for a short time, he thought he should do well to follow the speech of the hon. mover. It seldom happened that he could agree in the general topics of the hon. baronet's speeches; but he had seldom heard one in the general topics of which he more cordially agreed than that which the hon. baronet had that night delivered. He fully concurred with him, that in the whole transaction his right hon. and learned friend stood *rectus in curia*. He agreed with him in the opinion that his right hon. and learned friend stood acquitted, even before he came to that part of his statement which related to the sheriff; and that part certainly did not weaken the opinion which he had formed of his right hon. and learned friend's innocence. The vote of acquittal which the House had come to was a right one; but that acquittal did not necessarily infer the guilt of any other individual. It was not necessary for the acquittal of his right hon. friend that the examinations upon oath should turn out to be true; but it was necessary for the acquittal of the individual charged; and, therefore, it was necessary that the matter should be sent to a tribunal, where the evidence would be given under the most solemn sanction. The House was precluded from hearing sworn evidence. They would therefore go into the inquiry with affidavits sworn against the sheriff of Dublin, and that sworn testimony would be met by testimony unsworn. And yet they were called to go upon this course of inquiry as a measure of justice to the sheriff of Dublin! It was easy to see in which way the justice of the case could best be met. The proper officer of the Crown had told the House that he was ready to institute an inquiry. "The question, then before the House was, whether there should be a prosecution instituted by his learned friend, or an inquiry at the bar of that House? No person could say with truth, this prosecution was taken up on the sudden to answer a particular purpose. He could give his testimony to the contrary; for he knew that such was the intention of his learned friend, and that it was only delayed because he was himself in the situation of an accused person. If an inquiry at their bar were necessary for the justification of the sheriff of Dublin, he would readily consent to that inquiry; but there was another and an obvious course, free from all the inconveniences which were acknowledged to belong to an inquiry by that House, and by which the question of guilt or innocence could be ascertained with a degree of certainty which an inquiry at the bar of that House did not possess; such an inquiry must terminate in one of two ways. The sheriff might be acquitted of all blame, but then it must be taken with the circumstance that the evidence was unsworn; but if the testimony should substantiate the charge, then the individual must be sent to trial with the House as his prosecutor, and the prejudice resulting from the weight of their authority against him. Looking, therefore, either to expedience or justice, he thought the plain and open course of judicial investigation was that which was due to the public, the House, and the individual immediately concerned.

Mr. *Brougham* said, that the chief objection urged against an inquiry at the bar of the House, was, the unfavourable effect which it might have on the future trial of the sheriff, if the House should think proper to direct a prosecution. But, was it not a little singular that the sheriff himself did not make such an objection; that, on the contrary, he should have petitioned for that very mode of inquiry? God forbid that justice should be violated in the person of any one — even in one of the Orange association! God forbid that, with the weight of the censure of that House hanging about his neck like a millstone, any man should be sent to take his trial! But, when the person himself came forward and entreated to be heard, was he to be told that he did not know his own case? This compromising government, however, had shut its ears against his petition. They had said that the general rule of the House was against inquiry, which was so troublesome a thing, that it would be better to rely on the attorney-general and think no more of the grand inquest of the nation. He had not so read the constitution; nor would he consent to a doctrine which it was reserved for the third year of George the 4th to promulgate for the first time. Besides, it was to be remembered that the case of Mr. Wyndham Quin, which had been alluded to, was investigated by the House with success, and followed up by an enactment to prevent the repetition of the abuses there disclosed. And, what was the question that called for investigation now? Was it not an alarming matter, that there had been an attack on the purity of the administration of justice by the packing of a jury, and that that had been done by an officer of a corporation, and for the purpose of courting a party which was of great weight for its rank and wealth, and some of whom were even high in office? The administration of justice was said to have received a taint, through the misconduct of the sheriff of Dublin. And who made the charge? The first law officer of the Crown, in defence of himself, and to secure his own retreat. Was not this, then, he would ask, an extraordinary case, and coming strictly within the principle of the exception? He could not take the same view of the result of the inquiry a few nights ago into the conduct of the attorney-general for Ireland, which was taken by the right hon. gentleman who spoke last, though he acquitted him of any thing even bordering on a corrupt motive. The charges against him of unprecedented, unwise, and unconstitutional conduct, were of a sufficiently grave nature, and were felt so by the learned gentleman himself; but his friends, the government, applying to him the same over-measure of kindness which they now wanted to apply to the sheriff, and accusing him of bungling conduct in his own case, chose a line of their own, and said, "We won't convict you, for that would be dangerous to the peace of Ireland: but we can't acquit you, for that would be dangerous also; therefore, we will not give to innocence its just meed, but pass to the order of the day, because we will treat the attorney-general as we mean to treat the sheriff of Dublin on Tuesday next." This was what was called an acquittal of the learned gentleman; but, whatever might be the view some gentlemen had taken of it, what really carried the House along with it was, the distinct and alarming charge of packing a jury. The acquittal (for he would not quarrel about words) was due to that charge. Of all the alarming comments on the filing of ex-officio informations, the intended proceeding by the attorney-general for Ireland with respect to the sheriff was the most alarming. He denied that an inquiry by trial would fulfil the object which they had in view. The issue would in that case be confined to the mere question, whether the party charged were guilty or not? The whole proceeding might fail from a trifling flaw; and there would be no opportunity of inquiring into the conduct of other parties, if the sheriff were shown to be not guilty. He knew of no tribunal half so effective for the purpose of sifting the truth, as an inquiry at the bar of that House, by an examination on the part of all the members, renewed day after day; an inquiry from which no equivocation could escape, no concealment could take shelter, and out of which the truth must in the end be elicited. The House had that night heard a lesson with regard to the state of Ireland, emanating from the long experience and great patriotism of his right hon. friend (sir J. Newport); not founded in violent or chimerical notions, but pregnant with the soundest political wisdom. His right hon. friend had declared it to be the curse of Ireland to be torn by factions, mobs, and associations; and to have nothing which could be fairly called a public. The Union, notwithstanding all the evils which had attended it, had at least brought to Ireland the chance of acquiring that inestimable blessing. Let it not be said, when Ireland complained of grievances, that the best way of allaying heats, of quelling dissention, and of diffusing satisfaction through the country, was, not to remedy those grievances. Let her voice be heard—let her wrongs be redressed — let her just demands be conceded, and they would hear no more of turbulence and dissention with regard to Ireland.

The House divided: For sir Francis Burdett's motion 219. Against it 185. Majority 34. The committee of the whole House to consider of the said inquiry was ordered to set on Friday, and Mr. Sheriff Thorpe was ordered to attend.

HOUSE OF LORDS.

Thursday, April 24.

NEGOTIATIONS RELATIVE TO SPAIN.] The order of the day for summoning their lordships being read,

Lord *Ellenborough* rose to make his promised motion. Sensible as he was of the great importance of the subject to which he was about to call the attention of their lordships, and labouring under very considerable anxiety as to the manner in which he should perform the duty he had imposed on himself, it was not, he said, without embarrassment that he rose to address them. He confessed, however, that it was with much satisfaction he now saw this great question regularly submitted to the deliberation of the House; and since their lordships' attention was at length to be distinctly drawn to the situation of Europe, and to the examination of the conduct of his majesty's ministers in the late negotiations, all personal considerations as to the difficulty of the task were lost in his sense of the necessity and utility of the inquiry. He was, too, relieved from much of his anxiety, when he recollected that whatever points he might fail sufficiently to enforce, or might omit to notice, would not be overlooked by those noble lords who might follow him. Painful as it was to him, under all the circumstances, to make a statement that would cast blame on the conduct of his majesty's ministers, that pain was greatly increased, when he found the noble duke opposite implicated in transactions which his duty would oblige him to condemn. It had been his wish, as it doubtless was the wish of every man in the country, that the great name of the noble duke might descend to posterity pure and unblemished, and it was with infinite regret he felt that it would be impossible for him to perform his duty on the present occasion, without bringing into question the conduct of that noble duke with respect to the negotiations he had lately conducted; but he begged leave to observe, that no consideration of what had occurred in recent instances, would diminish his sense of the gratitude which he felt to be due to the noble duke for his former great and eminent services. It was not, however, consistent with the practice of a free state, or sound policy, under any system, to balance present errors in conduct by past services. The latter were not to be made an excuse for the former. Let ministerial errors, from whatever source they might spring, or by whomsoever committed, be made the subject of inquiry, and let them be censured as they deserved. He knew of no principle which was of more importance than this in a free country; especially when the subject of inquiry was, the conduct of a great and successful general. In such a case nothing was more to be deprecated than a system of forbearance.

Having said this much, he would proceed to the subject immediately before the House. Their lordships would recollect, that in the discussions which took place in 1821, on the subject of the Neapolitan revolution, it appeared that not only his majesty's ministers but the allied powers regarded the case of Naples as different from that of Spain. The noble earl opposite (Liverpool) then said, that the Spanish revolution had been provoked. This acknowledgment was distinctly made by the noble earl; but as, perhaps, some of the noble earl's colleagues did not, like him, entertain liberal sentiments on the subject of the Spanish revolution, and as, perhaps, some noble lords in that House might view that revolution in the same light as they did the Neapolitan, he thought it right to recapitulate some circumstances connected with the Spanish revolution, which ought never to be lost sight of in considering that subject. In judging that revolution, he entreated their lordships to recollect its principle and origin. With that recollection in their minds, they could not fail to acknowledge the justice of the distinction the noble earl opposite had made, and which also appeared to be made at that time by the administration generally; for one of the earliest ministerial papers on the subject was a despatch, written by lord Londonderry, containing arguments calculated to dissuade the allies from interfering with Spain. When king Ferdinand returned to Spain in 1814, and proceeded by violence to destroy that constitution which had been established in his absence, he, in the first instance, succeeded, without experiencing any resistance, but not without making a declaration that he would call a cortes, and more especially pledging himself to two things; namely, the establishment of a limited liberty of the press, and the consent of the cortes with the sovereign to the levying of taxes. He soon, however, violated these promises. The first measure of his government was, to throw into prison all the men who had most distinguished themselves by their attachment to the cause of liberty, and their zeal in the defence of the country. He ordered criminal prosecutions to be instituted against them, and subjected them to cruel judgments. In 1815, when thirty two of these worthy men still remained untried, he expressed his dissatisfaction with the tribunal to which they had been referred. He ordered the tribunal to hasten the proceedings, and to inflict condign punishment. The answer made by the tribunal was, that the parties did not appear to be guilty of any crime. He then referred the cases to another tribunal, the judges of which also answered, that they could find nothing to blame in the conduct of the individuals accused. Thus disappointed in procuring a legal judgment against the objects of his vengeance, he, of his own authority, sentenced them to different prisons, and inflicted on them various other punishments. The more distinguished these unfortunate men had been by their talents and their services to the country, the more severe were their sentences. Arguelles was condemned to serve as a private soldier in one of the presidos of Africa; and Herrera, who had been minister of Grace and Justice, was adjudged to 18 years' imprisonment in chains, in Majorca. These were acts which fully justified what the noble earl had stated, namely, that the Spanish revolution was provoked. Now, what had been the early conduct of the allied sovereigns with regard to the change which had taken place in Spain? He had already alluded to the paper drawn up by the late lord Londonderry which contained arguments against any interference on the part of the allied powers. The sovereigns met in congress in December, 1820, and it then appeared that the events of the 8th of March were not overlooked by them, but were placed in the foreground of their deliberations, and regarded as circumstances of alarm. In the speech of the king of Spain to the cortes in that year, he alluded to the alarm which the events of the Peninsula appeared to have excited, and stated, that he had desired explanations on the subject, in consequence of which the allied sovereigns had disclaimed all intention of interfering with Spain. In the answer which the president made, he stated that the allied sovereigns had recognized the legitimacy of the Spanish revolution. It appeared that the king of Spain had complained of want of respect to his government, and that this complaint had given occasion to the explanation and recognition referred to. The same disposition had been manifested after the attack on Naples. It was then again declared, that the allied sovereigns disclaimed all interference with Spain. Thus, whatever dislike might have been shown to the Spanish constitution, no intention to interfere was ever expressed, otherwise than by the operation of opinion or by negotiation. The papers which had been presented to parliament contained no indication of hostile interference. It appeared that from April, 1820, to September, 1822, the object of preventing interference had been attained, either by the general conduct of the foreign secretary, or by the influence of his personal character. This at least was certain—that as long as the late lord Londonderry lived, no idea was started of hostile interference with Spain. What were their lordships now to think of the allied sovereigns, when they reflected on the conduct of those sovereigns in 1821, and their declarations disclaiming all intention of interference? Looking back to their declarations at the time of their attack on Naples, could the least confidence be placed in any of their professions? Was it not evident, that these absolute sovereigns of the continent were determined, whenever an opportunity offered, to strike down liberty, wherever it was to be found? Having put down liberty in Naples and in Piedmont, if they succeeded in destroying it in Spain, what would be their next object? Could their lordships doubt, that what semblance of liberty there might exist in France or Germany would soon be extinguished, and that then these monarchs would turn their attention to that parliament which they regarded as the source of all their alarms, and that freedom of the press which happily subsisted in this country, but which, in their opinion, was a standing pestilence? It was, then, indispensable in considering the present subject, that their lordships should constantly bear in mind, that from the year 1814 to the present time, these sovereigns had lost no opportunity of strengthening absolute power, either in their own or in other states. The principles of liberty and despotism were placed in a hostile position and it was impossible but that such a conflict must cause disquietude and convulsion in society.

Coming now to the late negotiation, about the 24th of September the noble duke opposite had learned that the affairs of Spain were to be made a prominent topic of deliberation at the congress. About the same time, too, the cordon sanitaire changed its name, and became an "Army of Observation." His majesty's ministers had then to choose the course they were to take. Then was the time for them to have come to a decisive resolution. They could not then misunderstand the state of the question; and, indeed, however much the noble duke might have been deceived, Mr. Canning was doubtless convinced that war between France and Spain had become inevitable. Ministers had then to take into their serious consideration all the danger with which this country and Europe was threatened, by the hostile operations of France against Spain. They had to contemplate France in the possession of the ports of Spain, undermining the sources of our maritime power, menacing Ireland, and injuring all the best interests of this country. They had, moreover to view her on the frontier of Portugal, threatening our antient ally. Such was the prospect, if France were successful. But suppose another case. Let it be supposed that she failed to accomplish her nefarious purpose. Would there be no danger to France and to Europe, from the re-action which defeat would occasion? On the contrary, if France were perfectly successful, then all that balance of power which it was pretended had been so well adjusted in 1814 was overthrown. These were some of the important considerations to which ministers were imperiously called upon to attend, as soon as they were aware of the designs of the allied sovereigns and France. But, important as these considerations were, they appeared to have occupied the attention of ministers only for three short days; for on the 27th of September, Mr. Canning wrote to the noble duke as follows:—"If there be a determined project to interfere by force or by menace in the present struggle in Spain, so convinced are his majesty's government of the uselessness and danger of such an interference—so objectionable does it appear to them in principle as well as utterly impracticable in execution, that when the necessity arises, or (I would rather say) when the opportunity offers, I am to instruct your grace at once frankly and peremptorily to declare, that to any such interference, come what may, his majesty will"—do what?—oppose it with all the force of the British empire? No — or his majesty will assume an attitude which will enable him to act according to circumstances—By no means—and what then? At least he will protest in the face of all Europe in the strongest terms against an aggression so notoriously unjust. No such thing? Nor is his majesty made to go so far as even to deny the principle of this interference. It is stated, indeed, to be objectionable; but only on the ground of expediency. The objection to the principle seemed to be regarded as something between its uselessness and the difficulty of the execution, and it was finally declared, that "to any such interference, come what may, his majesty will not be a party!" Thus, while a nation to which we were bound by ties of interest and friendship was invaded — while our oldest and firmest ally was threatened—while that balance of power which it had cost us such immense sacrifices to restore, was in danger of being overthrown, "come what may" we were to stand with our arms folded, tame spectators of what was passing. All idea of the influence of the country was given up! Not even a word of discussion in objection to the principle on which France acted was offered. This strange conduct reminded him of a passage he had lately read in a play, where, in reference to an affair which had occasioned some difference between two individuals, one person asks, "What is to be done?" To which another replied, "Oh, nothing, but there is a great deal to be said." Here, however, ministers seemed to think that there was not only nothing to be done, but very little to be said. [He came now to the letter written to Mr. Canning on the 22d of October. Under that date, the duke of Wellington communicated to Mr. Canning, that he had had an interview with the French minister, at which that minister had read the three questions; and on the 29th of the same month the noble duke wrote to Mr. Canning, expressing his intention of calling upon "France to explain herself, and then that they (the allies) should recommend to her, if peace is her object, as it must be that of the other powers, that she should ask for the good offices of one of her allies to explain to Spain her desire to remain at peace." But by the answer of the noble duke to the questions of the French plenipotentiary dated 30th October, it appears that no such demand of explanation from France was made. Against the principle of interference put forth by France, one would have thought the noble duke would have protested in the first place; but, so far from that being placed in the foreground, an opinion was expressed, that "any amelioration which might be desired in the Spanish system, for the sake of Spain herself, ought to be sought for in measures to be adopted in Spain, rather than abroad, and particularly in the confidence which the people should be taught to feel in the character and measures of the king." Thus, instead of protesting against the principle, the system on which his majesty's ministers acted was put forward, and confidence in the character of the king recommended! It was not so easy a matter to make the Spanish nation entertain confidence in the character or measures of Ferdinand 7th. Our objection was not so much to the principle, as that we thought it inexpedient and dangerous, to France especially. It had been frequently said, that affection and confidence more frequently appeared in the conduct of those by whom benefits were conferred, than in that of those by whom benefits were received. This seemed to be the case with the noble duke, who seemed to believe it impossible that the king of France could entertain thoughts hostile to the state of Europe, and, appearing not to enter fully into Mr. Canning's sentiments, contented himself with declaring, that in case a war should break out, it was impossible for his majesty's ministers then to pronounce what advice they should consider it their duty to give to his majesty. The duke of Wellington (though not so imprudent in his admissions, as in the course of the discussion it would appear Mr. Canning had been) had made an admission to which he begged to call the attention of the House; for it was one of very great importance. The noble duke had admitted, that the civil war in Spain, justified the maintenance of the Army of Observation; and in his despatch of the 20th of November, he said, "The origin, circumstances, and consequences of the Spanish revolution—the existing state of affairs in Spain—and the conduct of those who have been at the head of the Spanish government, may have endangered the safety of other countries, and may have excited the uneasiness of the governments whose ministers I am now addressing. From this he did not know whether the noble duke meant to say, that the Spanish revolution had endangered other countries; but, at all events, it gave occasion to found hostile comments upon it.

Here ended the negotiations at Verona; and, with the exception of calling upon France to explain (which the noble duke never did), and one despatch from the foreign secretary, no efforts whatever had been made by ministers to preserve the peace of Europe. The duke of Wellington then left Verona for Paris, and on his arrival there, he found a letter from Mr. Canning, in which he was instructed to offer the mediation of this country to France; and it was to be observed that Mr. Canning said, that "in order to afford a prospect of success in our mediation, if France should be willing to employ it, there should be some reasonable hope of a similar acceptance on the part of Spain." Looking for a moment to the despatch of Mr. Canning to sir W. A'Court, of the 9th Dec., there would be found these words—"His majesty's mediation between France and Spain, if solicited by Spain and accepted by France, would be gladly given and earnestly exerted, to settle the disputes between those powers and to preserve the peace of the world. If Spain be disposed to solicit that mediation, she will entitle herself to it, first, by redressing our grievances." Now, recurring to the despatch of the 8th of November, from Mr. Canning to the duke of Wellington: in that despatch he communicated his majesty's "entire approbation of his grace's conduct and language in respect to the affairs of Spain; and particularly of the determination not to promise the good offices of his majesty between that country and France, in any other case than that of a simple and specific request to that effect on the part of France, unaccompanied by 'any treaty or any declaration of the allies hostile to Spain.'" He entreated their lordships to bear in their minds the words of Mr. Canning, that Spain must solicit our mediation and redress our grievances, though the noble earl (Liverpool) admitted a few nights ago, that those grievances were of a date as far back as 1808, and most of them originating in previous years, and that all the ordinary methods of negotiation had been exhausted, and had failed to procure redress of those grievances; but Mr. Canning instructed sir W. A'Court to declare, that if redress was refused, we would do justice to ourselves; and this language was held after Mr. Canning had said that France must ask for our mediation. Their lordships must see, that he proposed our mediation to Spain, contrary to the principle he had himself laid down before. The proposal at such a time, made in such terms to a people tenacious even to stubbornness, and possessing high feelings of honour, was more calculated to provoke a war than any other course which could have been pursued. France, also, was to solicit our mediation, which she had not done; the allies, also, were to abstain from any declaration hostile to Spain, but from which they had not abstained. This mediation was, however, refused by France; but ministers still entertained hopes of peace being maintained—on what grounds, would be seen on referring to the latter part of the despatch of the duke of Montmorency to the duke of Wellington, dated the 26th December. The words were—"his most Christian majesty sees, however, with pleasure in this proposition, a new pledge of the conciliatory disposition of the English government; and he thinks that with such feelings, that government may render essential service to Europe by offering in the like manner to the government of Spain advice, which by leading them to entertain more calm views, might produce a happy influence on the internal situation of that country. His majesty would learn, with the liveliest satisfaction, the success of such efforts. He would see in it a firm ground to hope for the preservation of a peace, of the great value of which the governments and the people of Europe cannot but be deeply sensible." These were the words—no stronger—which, in the apprehension of Mr. Canning, appeared (though to no other person could they so appear) to leave open the way for an amicable termination of the dispute, though no specific declaration had, up to that moment, been made of what the specific alteration in the Spanish government was, which France required.

On the 27th of Dec., the letter of M. Villèle was published at Paris, and in that paper it was declared, that France would in no respect relax her preparations for war, while Spain continued to be torn by factions. France having made that declaration, and it being known to this country on the 5th of January, lord Fitzroy Somerset was sent to Madrid on the part of the duke of Wellington. Their lordships would observe, that in the despatch of M. de Montmorency, there was no assurance that France would be satisfied with any particular alteration in the Spanish government; and the minute of the duke of Wellington was so vaguely worded, that it was impossible the Spaniards could comply with his desires. It might be true, that the noble duke, like another Hannibal, had been bred in camps, and knew little of civil institutions; but giving him credit for that knowledge of the British constitution, which every individual, particularly of high station, must to a certain degree possess, it was most extraordinary he should use such language as this in his memorandum, "that the powers and prerogatives assigned to the king in the system, should be such as to enable him to perform his duties, and such as, in reason, a king ought to be satisfied with." What a king ought to be satisfied with, or would be satisfied with, it was, indeed, very difficult to ascertain, but it was clear that the duties of a king, under a constitution, must involve the powers and prerogatives to perform them, otherwise it would be a manifest absurdity. But the memorandum went on to say, that the king must be satisfied. But what king was it that was to be satisfied? The very king who had shown, by his previous conduct, that he would be satisfied with nothing short of despotic power. What, however, were the Spaniards called upon to do? To make certain alterations in their constitution, in which case it was observed, "the continuance of the Army of Observation would be an useless expense, and there is no doubt that it would be immediately withdrawn." The noble duke had in this shown as much ignorance of the Spanish constitution, as he had done of the constitution of his own country. The alterations required amounted to the destruction of the Spanish constitution, and the application was to be made to those persons who had taken oaths to maintain that very constitution. This application was, that they should violate their oaths, the constitution, and the laws; and these concessions were to be made to an enemy who demanded them at the point of the bayonet, in despite of every principle on which the security and happiness of nations depended. Fortunately, the Spaniards, more knowing in the principles of international law than the noble duke, determined to maintain their rights with a firmness which reflected on them the highest honour, and absolutely refused to take into consideration the question of any alterations in their constitution. Whatever might be the motive of those who had induced the noble duke to lend his name to such a negotiation, fortunately for Spain and for this country, that negotiation had absolutely failed.

But it was important to mark the time at which this request was urged upon Spain to make alterations in her constitution; because it would be found, that at the very period when Spain was called upon to make these alterations in her constitution, such was the attitude assumed by France, that Spain, in doing so, must have done it to all appearance only at the hostile dictation of France. It appeared besides from the note of the duke de Montmorency, dated the 27th Dec., that France refused the mediation offered by this government, unless, in point of fact, Spain would make those very alterations in her constitution which were proposed in the memorandum of the duke of Wellington. Thus, Spain was called upon to do that which she could not do without admitting that very principle of interference which was contended against; because it could not be done under the circumstances of the negotiation, as it had then turned, but at the dictation of France as well as of the allied powers. It was of importance, however, to refer to the note of Mr. Canning to viscount Marcellus, dated the 10th January, asserting that "no objection was stated by the duke of Wellington, on the part of the king his master, to the precautionary measures of France, within her own frontier—measures which the right of self-defence plainly authorized, not only against the danger of contagious disease (in which they professedly originated, and to which, till the month of September, they were exclusively ascribed), but against those inconveniences which might possibly arise to France from civil contest in a country separated from France only by a conventional line of demarcation, against the moral infection of political intrigue." Mr. Canning seemed to be aware of the importance of the concession he was then making; for, immediately after, he stated, in a note to sir W. A'Court, that the Army of Observation was likely to present the greatest difficulty in the way of mediation. In a subsequent despatch to sir W. A'Court, dated January 11, Mr. Canning used the following words:—"Till France shall withdraw her Army of Observation, there is no security against such hazards. France cannot withdraw her army (it is fair to admit) without some cause to assign for doing so. The only cause to be assigned must be some satisfactory assurances received from Spain." According to this principle, even the termination of civil war in Spain would not enable France to withdraw her army; in fact, it would furnish her with a pretext at all times to keep a force on the frontiers, not only while Spain might continue disturbed and divided, but while the Spanish constitution lasted. This admission which we had made, thus justified and suggested to France the keeping up the Army of Observation after the Army of the Faith had been defeated; and the moment that Mr. Canning made this admission, was precisely that moment when all the motives alleged by the duke of Wellington had ceased. That this was not thought lightly of by the successful negotiator, M. Chateaubriand appeared by his despatch of the 23rd Jan., where he had immediately seized it. The words were—"The very note to which the undersigned has now the honour to reply, confirms all that he here advances, in citing the following expressions of the noble duke:—'The duke of Wellington made no objection in the name of the king his master, to the precautionary measures taken by France on her own frontiers, whilst these measures were evidently authorized by the right of defending herself, not only against the dangers of infectious disease, but also against the *moral contagion* of political intrigue; and finally against the violation of the French territory by casual military incursions.' This admission is remarkable, and, besides, did not Piedmont and the kingdom of the Two Sicilies rise in the name of the cortes? and is any other proof required that the Spanish revolution may pass the limits of the Pyrenees? France, then, has the right to defend herself against *moral contagion*." The duke of Wellington had not made use of these words, but Mr. Canning had put them in his mouth, and M. Chateaubriand felt that every thing was conceded to him by that admission; for, when an army of observation might be formed to exclude moral contagion, and then difficulties and disputes arose to which war alone could put an end, every thing was here conceded, and the same circumstances might be again created with respect to Portugal, from which a great nation could not escape without going to war; so that the whole case of France might now rest and be justified on the admission made by Mr. Canning. While the attempt to mediate in order to induce Spain to alter her constitution was going on, sir C. Stuart wrote to Mr. Canning on the 23rd of January, that the French government had told him, that "without questioning the sincerity of his majesty's government to maintain peace, he was convinced that it was impossible seriously to press the subject on the Spanish government in sufficient time to lead to the result we desire." It concluded with stating, that "the language of the French ministers showed that they would be glad to avail themselves of the publication of an amnesty, accompanied by any change, however trifling, if brought about by the authority of the king of Spain, which might enable them to avoid a declaration of war." And on the same 23rd of January, a letter was written by M. de Chateaubriand to Mr. Canning, which was almost as warlike as the speech of the king of France, and aimed at establishing the same principles as those contained in that speech; namely, the absolute concession of the whole of the Spanish constitution, and that every alteration should emanate from the king. On the 26th of January, previously to the receipt of this letter, Mr. Canning had written to sir W. A'Court no longer to intrigue in the name of the duke of Wellington, but in his own name, and animadverted very freely on the state of things in Spain. On the 27th the despatch of M. de Chateaubriand was received. Then, for the first time, Mr. Canning began to perceive he had got into a difficulty. Parliament being about to meet, it was thought expedient to have something like a case to lay before them, and then, for the first time, on the 28th of January, there was a denial of the principle of foreign governments interfering in the internal concerns of other countries; and then it was not a formal protest, but put in a confidential letter to our minister at Paris. Surely the noble earl opposite did not allude to this when he told the House of the protest which had been made against that principle. Although the French had stated that they would be satisfied with nothing but absolute concession, Mr. Canning still wrote to sir C. Stuart, but not as he ought to have done, revoking his former instructions. It was in that despatch of the 28th January that he made the admission—never made before by an English minister—that it was for the sake, and at the desire of France, that we were intriguing to obtain from the Spanish nation similar terms to those which France had demanded as the alternative of peace or war. On the 28th January sir C. Stuart communicated to Mr. Canning, that he had had a conversation with M. de Chateaubriand, in which he declared that the king of France must use strong language in his speech to the chambers. With these despatches of sir C. Stuart and M. de Chateaubriand before him, and the speech of the king delivered to the chambers, Mr. Canning told M. de Chateaubriand, that the speech of the king of France was open to two interpretations. M. de Chateaubriand snatched at it directly, and in his reply—contrary to his conversation and conduct—took that interpretation which Mr. Canning desired. If any proof were wanting of the determination of France, their lordships might look to the note which count Lagarde read to the king of Spain, which it appeared, by the way, was not properly reported by sir W. A'Court, though doubtless that arose from imperfect recollection. All the letters showed, that France all along desired the abandonment of the constitution, and a total and unconditional surrender of the liberties of Spain, which were to be placed at the absolute disposal of the sovereign; and then again might be re-established, with renewed vigour, the family compact. M. de Chateaubriand desired that the negotiations, through the medium of England, should go on; for he saw clearly that it could only be advantageous to France, by confusing men's minds, and thus paralyzing the exertions of the Spanish people. At length, on the 10th of February, he told sir C. Stuart, that the establishment of a second chamber by Spain would be sufficient to induce France to discontinue her preparations; but in a subsequent communication (his preparations being more advanced) he said, that if the ministers were changed, that would be a ground of negotiation. It was not till the

19th of February that the specific terms on which the French government would treat were communicated to sir W. A'Court, who, if he had to negociate, must have done so in ignorance of that important point. At length, on the 31st March, Mr. Canning wrote to sir C. Stuart a despatch, which, though addressed to that minister, was intended, like the letter of the 28th of January, to make out a case for parliament.

The negotiations being thus terminated, the consequence was, a war between France and Spain, to which his majesty's ministers themselves had confessed that no human foresight could calculate the consequences. Could their lordships think that his majesty's ministers had done all that they ought to have done? Had the honour of this country been properly supported? Was it consistent with its honour to enter into a negotiation at the desire of France? Was it honourable to induce men to break oaths, and to destroy every principle of liberty and international law? Was it for the interest of this country that France should make this war on Spain—a war standing single and alone, covered with all the infamy of the aggression on Poland added to the infamy resulting from the principles on which, and the circumstances under which, it was undertaken by the French king. Would our interests be promoted by France having possession of the ports of Spain? Would our interests be promoted by an army of observation being placed—as, from the admission of Mr. Canning, it might be, on the frontiers of Portugal? Was it for our advantage, when all the absolute sovereigns of Europe were acting against the cause of freedom, that we, enfeebled by the exertions which we had made in the cause of those sovereigns, should now be called upon to suffer an aggression, which would not have been suffered in any former times of our history, and which would not have been even proposed in any days but these? Was it for our interest that a defeated army should spread through France revolutionary principles, bound as we were to the Bourbons? Was it for our interest that France should be placed at liberty to march an army from her frontiers, to smother every ember of liberty in Germany and Italy? With the papers before them, would not their lordships say, that his majesty's ministers had done every thing which they ought not to have done? and was it consistent with the honour of their lordships not to declare that opinion which they must entertain? Was it possible to attach any credit to the assertion of France, that she had no ambitious motives in entering on the war? Let the House consider all the intrigues at Verona—all the deceptions practised on his majesty's ministers, willing to be deceived—all the false pretences urged at the commencement of a war hostile to the true principles of liberty and the law of nations. Their lordships would remember, that M. de Montmorency had said, that there was no specific interest in the question on which to mediate—that it was a question of principle alone. M. de Chateaubriand had also said the same thing. On referring to the despatch sent to Portugal, it would be seen, that he declared, that the French government did not make war "to support political theories." But what did he say to England? Why, that it was "impossible to negociate on political theories:" thus adducing one circumstance to England as the cause of war, and denying it in the communication with Portugal. Under these circumstances he asserted, that it was impossible to place any reliance upon the declarations of the French ministers. Let their lordships consider what was the conduct of France with respect to the alleged origin of the war. The attempt at counter-revolution of the 7th of July, and its consequences, were urged as a ground for hostile preparations. The intrigues of France created that event; and yet she afterwards urged it as a reason why she should keep an army of observation on the Spanish frontier. But the insincerity of the French government was still more strongly manifested in this—that while they were carrying on negotiations with an apparent view of preserving peace, they sent out orders to the West Indies, for an attack by their ships on Spanish vessels. Let their lordships look at the conduct of the French government throughout the whole of the proceedings, and they would find, that no reliance could be placed upon their sincerity. What dependence could be placed upon men who, while they were talking of peace here, and affecting a wish for its continuance, were still planning war in another quarter? No reliance, then, could be placed in the good faith of France; and it might be rather a question, not whether peace was to be dependent upon her wishes, but whether she might not extend the principle of interference to other countries besides Spain. One opinion, and only one, could, he thought, be formed on the conduct of the government of this country thoughout the whole of those transactions, which were without parallel in the history of diplomatic negotiations. Seeing that the line of policy which his majesty's ministers had adopted had failed—seeing that it could have no other termination—he thought it must be conceded, that a more prompt and decided conduct on our part, would have had a very different effect. That promptness and decision had, unfortunately, been wanting. The address with which he should conclude would not call upon their lordships for a decision of the question of peace or war; for, considering the present state of France and of Europe, he did not think any decision on that question was required at this moment. It was his opinion, and that of many others, that stronger language—a more decisive tone—should have been used at Verona; but that not having been done, it was now rather late in the proceedings to take that position which should have been ours at first. He also would admit, that in a question of peace or war, very many important calculations, political and military, were to be considered. We were not, however, now called upon to decide that question; but he did think their lordships were called upon, in the honest discharge of their duty, to pronounce upon the line of policy which ministers had adopted. It would be necessary to go back several years into our history, before we could discover any similar conduct. It was as far back as the reign of Charles 2nd, that we could discover any similar truckling to France, or any such compromise of the honour of this country. It was impossible for him to conclude, without expressing an ardent wish, whatever might be the decision of their lordships upon the question of that evening, that the Spaniards might come victorious out of the just but arduous struggle in which they were engaged. Whatever might be their lordships' decision, he believed that the wish which she had expressed was the conclusion to which every honourable mind must come. The Spanish nation had entitled themselves to the respect and approbation of every man of liberal feeling in every country. The government of that country had, under circumstances of peculiar difficulty, hitherto conducted themselves with a moderation worthy the imitation of other states. In the note transmitted in answer to that of Russia, and under very trying circumstances, the Spanish government had acted with great and praiseworthy forbearance. Struggling as they were for all that a people wishing to be free held dear—having at stake every thing associated with national independence—he did hope that their struggle would prove successful—that they would recollect what they had been in former times—the glorious efforts they had heretofore made in defence of their liberties—that theirs was a cause which could not be destroyed by the loss of a few towns, or even by the destruction of an army; for though armies might be destroyed, a nation was immortal. The liberty for which they were struggling was not to be considered merely in its tendency to increase the commercial wealth of a country. Liberty had other advantages. It raised and elevated the mind; it warmed the heart; it exalted man in the scale of society, making him capable of every thing that was noble and generous, rendering him prosperous and contented at home, and respected by surrounding nations. In conclusion, he would say, that if their lordships should be of opinion that we ought to truckle to that power, upon the neck of which we had so lately placed our foot—if they considered that we ought to submit to that monarch who had so recently been carried to his throne in the baggage of the British army—if their lordships were of this opinion, they would give the negative to his address, and then might posterity have mercy upon their names. If, however, they were earnest in their wish to support the struggles of a free people—if they desired to see the king of England, not in the train of the despots of Europe, but at the head of its free and constitutional states, they would carry this address to the foot of the throne. His lordship then moved—

"That an address be presented to his majesty, offering to his majesty our humble thanks for the communication his majesty has been graciously pleased to make to this House of certain papers relating to the late negotiations at Verona, Paris, and Madrid.

"To express our deep regret that the desire manifested by his majesty for the preservation of peace between France and Spain has proved ineffectual.

"At the same time to represent to his majesty that the course of negotiation pursued by his majesty's ministers was not in our judgment calculated to support the honour and just interests of the British people, or to afford any reasonable expectation of averting the war which is now commenced.

"To state to his majesty that we have learnt with just indignation that the French king, regardless of all such representations as may have been made to him on the part of his majesty, and no less forgetful of the powerful assistance which had so lately contributed to his restoration, than of that right which all nations possess to regulate for themselves the internal institutions of their governments, has proceeded to make an unprovoked and unjustifiable attack on Spain, the preservation of whose independence has been at all times, and is, for the most obvious reasons, more especially at present, an essential object of British policy, as necessary to the safety of his majesty's oldest and most faithful ally, and to the security of his majesty's dominions.

"To acquaint his majesty, that we most highly disapprove of the conduct of his majesty's ministers in having, for the sake and at the desire of France, suggested to the Spanish people the expediency of making alterations in their constitution similar to those which France proposed as the alternative of hostilities, even without having received any positive assurance that such concession on the part of Spain would secure her from further interference in her internal affairs, and in having shown throughout the whole course of the late negotiations more solicitude to save the French government from disgrace and danger, than to maintain the interests of Spain, which must have been endangered by the slightest concession on the demand of a foreign power, and under the menace of a foreign war as the penalty of her refusal.

"To represent to his majesty, that on a review of the whole conduct of the French government, during the late transactions, we can place no reliance on their disavowal of all views of ambition and aggrandizement, or on their assurances that they will respect the independence of Portugal.

"To assure his majesty, that when we reflect that the successful assertion of the principle now acted upon by France would endanger the security of every constitutional government, and that its immediate consequence must be the re-establishment of that ascendancy over Spain which it has been at all times the undoubted object of France to acquire, we cannot hesitate to express the most ardent wishes for the triumph of the Spanish nation in the just and honourable conflict in which it is engaged.

"To declare to his majesty that, in the opinion of this House, a more prompt, decisive, and unequivocal policy would, under all the circumstances of France and of Europe, have afforded the best hopes of preventing the commencement of a war, in which we cannot but apprehend that increasing dangers may, at no remote period, and under circumstances of accumulated difficulty, compel this country to engage."

The Earl of *Harrowby* said, that he was prepared to show, that throughout the whole of the negotiations before the House, his noble friend, the duke of Wellington, had acted up to the letter and spirit of his instructions; and that if blame could attach any where, which he did not admit, none could be attributed to his noble friend. He was rather surprised at the conduct which the noble mover had pursued on this occasion. He had thought, from the noble lord's notice, that he would have come down on this evening with an unequivocal declaration, that it was more for the honour of this country that we should have gone to war than remained at peace. Instead of this, however, the noble lord had brought a violent charge against the conduct of his majesty's government. A part of the noble lord's complaint was, that a "more prompt, decisive, and unequivocal policy" had not been adopted by this government at the commencement of the negotiations; by which course the noble lord contended that peace would have been preserved. By this he understood the noble lord not to prefer war. The real question, however, which was to be decided, was, whether peace was, under all the circumstances, to be preferred to war; for unless it was meant to be contended, that we should have engaged in a war against France, and in support of Spain, the words "more prompt, decisive, and unequivocal policy" had no meaning whatever. Assuming, then, that it was better we should remain at peace—and he did not understand the noble lord to contend that we ought to have gone to war—he maintained that the course which government had adopted was the wisest. The noble lord had contended, that we had been duped by the perfidious conduct of France. Now, supposing for a moment that we had been misled as to her intentions, would that be of itself a ground for our entering into a war? This government had, from the first, adopted a tone of conciliation. Supposing that at the commencement, or in the progress of the negotiations, we had had doubts as to the sincerity of France; still, he maintained, we were bound to proceed in the same conciliatory course; but, if we had no doubts of her sincerity, no reason could be alleged for a departure from that course. From all that he knew of these transactions, he was more and more convinced of the wisdom of the course which his majesty's ministers had adopted; and he felt that it would be a consolation to them in their last moments, that they had persevered in that line of policy up to the present hour. If the question was merely whether we should have gone to war or not, then he might admit all that the noble lord had said as to the propriety of assuming a menacing attitude. But, the object of this country had, from the commencement, been conciliatory. The sentiments of this country against the principle of interference in the internal government of other countries, had been clearly explained to the other powers of Europe, so far back as the year 1820. Early in the spring of that year it was apprehended that some interference would take place with regard to Spain. Their lordships knew what was the language which England held on that occasion, and up to the present year, no steps had been taken, on the part of the allied powers, to withdraw their ambassadors. The interposition of England was confined to advice and remonstrance—to a representation of the effect which the measures of France would have upon the interests of other nations. The tone which she held was conciliatory; but it was much more likely to produce effect than hostile language, which might give offence without gaining any point. England did not assume a more decided tone, because she was anxious at all events to avoid a war. It was for their lordships to say, whether that policy was sound, or whether this country ought to rush into a war in support of the Spanish constitution, and what was called the cause of Spain. What was the cause of Spain? Their lordships could not say, with any thing like confidence to which side the Spanish nation inclined. In a war where France would appear on one side and England on the other, it would perhaps be difficult to find out which party would have the greater number of auxiliaries in Spain. Divided as the Spanish nation was—her people split into parties, and taking different views of the question—it would surely be most unwise on the part of England to take any hostile step, unless her own interests were deeply and immediately concerned. It had been argued that the interests of England were deeply concerned—that the power of France over this country would be greatly increased by the present struggle. In the first place, he would beg to observe, that the assumed power of France must depend upon her success, and she would not succeed unless a great portion of the Spanish people were with her; unless they entered into her views and supported her efforts. If, on the other hand, one half of the Spanish people should drive the French out of their country, the power of France would not be increased, but diminished; but if the Spaniards gave a just preference, not to the original despotism of Ferdinand, but to a constitution more qualified and more monarchical, would the influence of France be thereby increased? If the French arms should, indeed, succeed in restoring Ferdinand to the throne, they might have a partial and temporary influence; but not of a nature to be dangerous or detrimental to this country. Their lordships might be referred to history to shew the danger of French influence, and how that influence had been resisted on the part of England; but, were the facts stated in the history of past times applicable to the state of things in the present day? It was, perhaps, wise and politic on the part of England, to watch at all times with jealous attention, the aggrandizement of France, and to guard against the danger of a close connexion between that country and Spain; but, in looking at the question of danger to this country at present, their lordships would do well to compare the political weight of Spain with her power and weight at former periods. In the time of Louis the 14th Spain was a powerful country—a country whose finances were as flourishing as any other of the states of Europe at that period, and whose navy was nearly equal to that of France. In the then powerful state of the Spanish nation, it might with justice be considered dangerous to this country to have the crowns of France and Spain placed on the heads of the same family. But what had been the event? As if to baffle political speculation and to confound the reasoning of politicians, the very next war that broke out in Europe was a war in which France was the ally of England against Spain. He stated the historical fact to remind their lordships, that the jealousy excited by a combination between France and Spain must naturally have been greater when Spain was powerful, than it ought to be at a period when Spain was weak. At the time of the peace of 1763, the condition of Spain was very different from its condition at the present period. Her people were then united; her resources were great; she had all the colonies at her disposal. But now without colonies, with a divided people, with a constitution, which, if supported by one party, was opposed by another—the influence of France, even if France could gain an influence in Spain, could excite comparatively little uneasiness in this country. He did not mean to deny, that a union between France and Spain was not to be discouraged by this country. But, was that alliance, under all the circumstances, a just cause of war? Was this country, from a sense of her honour —from a feeling of her interest—from a regard for the principles of her own constitution—called upon at the present day to enter into a war? And, if she was not, what became of the position of the noble lord? Was it for England to say to the allied powers, that they should not interfere with Spain? England had a right to assert her own principles; to proclaim her interpretation of the rights and the laws of nations: but, if other powers formed other views—if other powers entertained the notion that principles different from those acted on in Spain were better calculated to promote the happiness of that nation—had not those powers a right to assert their opinions and their principles? If those powers felt that the constitution of Spain was likely not only not to promote the happiness of the people of that country, but to be dangerous to the security of other nations, they had a right to act upon that opinion. Nor was England called upon, by any sound motive of policy, to take an hostile attitude. She might disapprove—she might remonstrate—but she was not called upon to draw the sword, strong as she was, able as she was, to enter into a contest. Yet, certainly, it would not be politic for England to risk a war at present. Should circumstances hereafter compel her to draw the sword, she would undoubtedly be better able to do so, after she had recruited her strength by a long continuance of peace. With respect to what had been done at Verona, England had asserted her principles; but she had done no more. Differing with the other powers of Europe, upon this point, she did not join in their deliberations; but she did not take an hostile tone. If England had menaced France—France, sure as she was of the support and co-operation of the other great powers of Europe—a temptation would have been afforded to her which flesh and blood could be scarcely able to resist. Every party in France, even that party which was most opposed to the general views of government, would have exulted in the idea of a war against England—a war formidable to this country, because supported by the powers of the continent. It was but natural that every party in France, however they might differ amongst themselves, would cordially join in applauding a war against England. France had undergone the humiliation of seeing her capital occupied by the armies of the powers of Europe, of whom England was the chief. France, after having been twice subdued by England in conjunction with the other powers of Europe, would certainly be exposed to a great temptation to go to war—if she found herself at the head of a powerful coalition, instead of being marked at as the object of its vengeance. Under ordinary circumstances, disputes might be accommodated; but, from the very nature of the relations and situation of France and Spain, that accommodation became impossible. England could not hope to prevent the dispute, unless she went further than would be reasonable, or than their lordships would approve. Unless she went so far as to call upon France to disband her Army of Observation, the causes of irritation between France and Spain could not be removed. England could do nothing for Spain unless she took part in the war. And, would a war be desirable, at a moment when this country was labouring to recruit her energies, to regain in the time of peace and repose, that strength which she had lost in the tumult and exertions of war? England, in the event of war, would have to prepare for great efforts. She must not only have fleets sufficient to sweep the ocean, but an army strong enough to maintain itself on the continent. And he would ask, after what had been so often asserted by noble lords on the other side, of the immense expense of the last war, could any thing be more destructive to our resources—could any thing be more calculated to prevent this country from surmounting those difficulties to which its exertions in the late war had unavoidably placed it—than such preparation? He would freely admit, that if the time arrived for such preparation, we should make it, cost what it would. But he did not think the time had arrived, nor was it likely soon to occur. The noble lord seemed to apprehend danger to Europe, and particularly that this country would be involved in the war, by the probable interference of France with other countries in alliance with us. The noble lord founded his fears on this subject upon his distrust of the assurances of France. Now, he saw no reason for distrusting the assurances of France. He was disposed to trust the assurances of a foreign power when he was satisfied that those assurances were in consonance with its own interest. Suppose France to succeed in Spain, did not the noble lord think that she would be sufficiently happy to escape from that most perilous war, without being attacked by England, and not trouble herself by attacking Portugal, which she had no interest in doing, and when she must know, that we were bound by treaty, which Portugal would call upon us to fulfil, to defend her in case of unprovoked aggression? What would be our situation in that case? We should then appear, not at the head of and supporting the revolutionists of Europe, but maintaining our honour in the fulfilment of our treaties with an antient ally. Besides, all the other powers of Europe would be equally interested with England in opposing such an attack. The noble lord had made some strong observations upon the circumstance of the government of this country having advised that of Spain to make some modification of the constitution of that country. Did the noble lord mean to contend, that the fact of this country merely offering advice to Spain, the compliance with which was not to be the price of our friendship, and the rejection of which was not to be a cause of hostility, was an infringement of international law? The noble lord had certainly declared that it was; but he had omitted to state the grounds on which he came to that conclusion. He would ask the noble lord, who seemed so averse to effecting any change in the constitution of Spain, whether he thought that an adherence to the constitution of the cortes was essential to the happiness of the Spanish people? Did he think that they could be happy under it? He would declare, that the existing constitution possessed many faults. He did not mean to say that those faults would justify the armed interference of a foreign power to remove them; but they were sufficient ground for a friendly state to address its advice to the government of Spain. The experience of the Spanish constitution had certainly been short; but yet he did not hesitate to declare, that it had been proved to be absolutely unfit for the government of Spain, or of any other country. The defects of the Spanish constitution very materially affected the question of peace or war. Before we engaged in a war, it was necessary to consider what assistance we could derive from Spain. Spain, in consequence of the divisions which prevailed in that country, arising out of the defects of the present constitution, would rather clog, than assist the endeavours of the British government. He would read to the House a description of the present constitution of Spain, and of the effects which were certain to result from its operation, from a book which was not likely to speak unfavourably of experiments in governments. Here the noble earl read the following extract from the 46th number of the Edinburgh Review:

"Thus we find that, with the exception of Cadiz and a part of the army, the measures of the cortes met with general reprobation. The nobles had lost substantial revenues; the people had gained only abstract rights:—those were deprived of what they valued, and these had obtained what they never desired. Some were shocked in their opinions; some curtailed of their authority; some attacked in their interests. Amongst the nobility, the cortes were levellers; with the clergy they were Atheists; and by the common people they were coarsely called traitors. The objects of such defamation, in the mean time, were far too much elated with the idea of the great figure they were making, to be aware of the sentiments they had excited. It has been said of the French tragedians, that they paint passions and not characters. The Spanish Liberales considered opinions and not passions. They opposed the definitions of liberty and despotism to a host of prejudices, and thought they had destroyed the power when they had logically refuted the reasonings of their antagonists."

So little were the people of Spain, generally, attached to the constitution, that it was a fact, that from the period when it became known to them that the option was, submission to the French, or submission to the cortes, disturbances had considerably decreased. If the noble duke near him had again appeared at the head of an army in Spain, he would not have possessed the same prospect of success, as when he fought on a former occasion in that country. He would have found himself placed in the midst of a divided people, and deprived of the support of that portion of it from whose exertions he had before derived the greatest assistance.—The noble lord had assumed, that the noble duke had suggested to the Spanish government precisely the same changes which the French government had demanded from it. That was not the case. The noble duke certainly suggested to the Spanish government the propriety of making such changes in the constitution as might afford to France some ground upon which she might abandon her intention of interference. But, this country never had suggested that the Spanish people should accept whatever amendments the king might be pleased to offer. That suggestion he thought was perfectly intolerant. All that was suggested to the Spanish government, in the noble duke's memorandum and in Mr. Canning's despatch, was, that some alterations should be made in the constitution; without pointing out this thing or that thing as necessary to be done. All that was desired was, that the Spanish constitution should be amended, so as to become better calculated to afford happiness to the people who lived under it, and to be more in accordance with the governments of other countries. Would it have been inconsistent with the honour and dignity of Spain, at a time when her people were divided in opinion with respect to the benefit to be derived from the constitution—when she was threatened with an invasion which she had no means to meet—to make, or at least to take into consideration the necessity of making, some alterations in her constitution? It would not. But Spain had refused to make any such alterations, merely because more extravagant changes had been demanded from her.—The noble lord had accused ministers of having endeavoured to make the Spaniards violate their oaths, by calling upon them to consent to some modification of their form of government. He could assure the noble lord, that a great difference of opinion prevailed in Spain, with regard to the obligations of the oath by which the Spaniards pledged themselves to support the constitution. By some it was maintained, that the constitution was not now the same as it was when first established, in consequence of the separation of the American colonies. Others contended, that the constitution had already existed for eight years, being established in 1812, and, therefore, that it might be modified without infringing the article which declared, that no change should be made in it during that period of time from its first establishment. When so many opinions prevailed in Spain with respect to the intention of the oath which had been alluded to, surely the British government might be excused for having advised the Spaniards to give it that interpretation which was most for their interest. He could see nothing inconsistent with honour in one government recommending, or in another adopting, such a course.—In one part of his address, the noble lord had said, that the allied sovereigns, after conquering Naples, Piedmont, and Spain, would complete their work by putting down the liberties of England. He thought that the only answer which should fall from the lips of an Englishman, upon that part of the noble lord's speech, was, "let them come and try." Feeling that the honour and the dignity of the country had been fully maintained during the late negotiations, he would conclude by calling on their lordships, if they participated in his sentiments, to acquit ministers of the charges which the noble lord had brought against them.

Lord *Holland* said, he would endeavour to show that the noble earl who had just sat down had not taken a right view of the question before the House; that he had perverted all the historical facts to which he had referred; that the view which he had taken of the policy of this country was directly opposed to the principles which the noble lords about him had always maintained; and that, in his strictures on the constitution of Spain, he had betrayed gross ignorance of the history of that country, and of its constitution. Before, however, he proceeded to do that, he felt it incumbent on him to return his thanks to his noble friend for bringing the question forward. If instead of agreeing, as he did, with every word of the address, and with every sentiment that had fallen from the lips of his noble friend, he had the misfortune to differ from him, still he would consider, that, as a member of the British parliament, he was bound to return his thanks to the noble lord for the attempt he had made to rescue their lordships from the imputation of not venturing to express an opinion upon the mass of papers—the mass of communications of failure—which had been laid on their table. Where, in the annals of this country, was any example to be found of ministers bringing down papers to prove their failure in negotiations, and to prove, at the same time, that the consequence of their failure was, that the antient and natural rival of this country had made an unprincipled aggression upon that power of Europe in whom our interests were most involved, without the parliament of England daring to express their opinions on the subject? Never, in the history of any country, had there been such an instance of the failure of the whole course of policy of the government, as that which had been afforded by the noble earl and his colleagues over the way, within these few days. Such were the feelings of indignation and disappointment which pressed upon his mind on this subject, that he hardly knew how to give utterance to them. Never had the ministers of any country entered upon negotiations with greater advantages, than those which the noble lord and his colleagues possessed. They had, in the person of the secretary of state, a man of great and brilliant talents, and one of the ablest reasoners in Europe—they had for a negotiator, the noble duke opposite, whose very name and appearance, connected with the memory of his past achievements, carried with them the marks of success—they had with them, during the negotiations, the honest opinion of the parliament and people of Great Britain with them; and, what was worth them all, they had a good and just cause to support; but, all the time, they were wanting in good will and honest intentions. During many years, the noble earl over the way and those around him had come down to the House with glowing descriptions of the state of the country: during the last six or seven years, to be sure, they had been ingeniously attempting to cast upon Providence, or some other cause, the consequences of their own mismanagement; but still they continued to say, that, at least, we had assumed a high situation, and attracted the envy of all mankind: they still ravished the ear with their brilliant statements, and actually made their lordships believe, that they were the lords of the creation; that nations attended their nod, and that they shook the spheres. But now the tone of the noble earl was quite changed. The very nation which, but a few years ago, had made so many sacrifices in support of the independence of Spain, now saw, unmoved, an aggression made upon that country, the most wanton and the most unjust that history could record. The question pressed home upon the ministers of this country: it was a question between the sacrifice of war on the one hand, and the preservation of national honour on the other. At such a moment, what was the conduct of his majesty's ministers? What said Timotheus, placed on high?—

> "War, he sung, is toil and trouble;
> Honour but an empty bubble.
> Lovely Thais sits beside thee,
> Take the goods the Gods provide thee."

Perhaps the noble earl might find, when it would be too late, that the pacific lady to whom he seemed so much attached was, if not a meretricious wanton, at least a capricious fool, who would induce him to part with liberty and independence to please some whim of the moment. To be serious, however, he thought that there had never been, on the part of public men, an exhibition of greater humiliation than that which had been afforded by the noble lords opposite. There were no circumstances attending the late negotiations which could diminish the mortification which he felt at their result. Had we been defeated by an enemy, we might have felt disappointment, but not shame; but to be tricked and duped by a power who pretended to be on amicable terms with us, was indeed a degradation. The noble earl opposite had said, in allusion to a similar observation which had fallen from his noble friend, "how can you make use of such wild and preposterous discourse—it is quite absurd." He (lord H.) remembered, that, about eight years ago, when he declared in that House that the Bourbons were a perfidious and ambitious race, the noble earl at the head of the Treasury exclaimed, "Oh, dear, what is the use of all this antiquated stuff? we all know that." He could conceive nothing more galling to the noble earl opposite, and to the majority of their lordships who supported the late war on the principle of restoring the Bourbons, than to find this country treated so contemptuously as it had recently been by those very Bourbons. He could not find words to express what he desired to say on this point; but would have recourse to an author who was a great master of language, and had a profound knowledge of the human heart. He felt it necessary to apologize to the House for the length of the quotation, which was as follows:—

"But shall it be, that you—that set the crown
Upon the head of this forgetful man;
And, for his sake, wear the detested blot
Of murd'rous subornation—shall it be,
That you a world of curses undergo;
Being the agents, or base second means,
The cords, the ladder, or the hangman rather?—
O, pardon me, that I descend so low,
To show the line, and the predicament,
Wherein you range under this subtle king.—
Shall it, for shame, be spoken in these days,
Or fill up chronicles in time to come,
That men of your nobility and power,
Did 'gage them both in an unjust behalf,—
As both of you, God pardon it! have done,
And shall it, in more shame, be further spoken,
That you are fool'd, discarded, and shook off
By him, for whom these shames ye underwent?"

The sentiments thus beautifully expressed were those which every man must entertain towards the noble earl opposite, and all those who advised and supported him in lavishing so much blood and treasure in the attempt to restore the family which now held possession of the throne of France. The noble earl opposite seemed displeased at the term "dupes" being used with reference to himself and his colleagues. He had asked, how far they had been dupes? He was very nice in his definition of dupery. But, how did the noble earl prove that he had not been duped? Why, by comparing himself to a man in love. It would not be at all surprising to find dupery existing even in that case; but nevertheless the noble earl seemed to think with the poet—

"That love may hope, when reason must despair."

One great fault pervaded the whole of the late negotiations; namely, a constant leaning towards those who attack rather than towards those who were attacked. Throughout the whole transaction, the government of this country had exhibited a sort of predilection for the Bourbons, and a sort of neglect and indifference for the dearest interests of this country. Though here and there a few remonstrances might be found scattered through the papers upon the table, they were remonstrances against the expediency of the attack upon Spain, and not remonstrances against the abominable principle upon which it proceeded. This was not acting the part of a friend towards Spain. It was more like what an antient poet described to have been the conduct of the father of Phaeton, who, instead of pointing out to his son the probability that his mad project would cause the conflagration of the world, talked only of the danger which would result to himself from carrying his scheme into execution. The noble duke opposite, when the wicked schemes of France were propounded at the congress, had contented himself with referring to the principles laid down in a note written by lord Londonderry, in 1820. He would be sorry to say any thing in the way of criticism upon the wording of that note; but, with respect to the principles which were laid down in it, how were the allies to comment upon them? What interpretation were the powers to whom the note was addressed to put upon its contents? They would judge of our intentions by our actions; and that was the rule of judgment that should be adopted in all matters. He would suppose, then, that prince Metternich and count Nesselrode had assembled in secret to consider the principles laid down in lord Londonderry's note, and that one of the worthies said, "God knows what the note means, but let us see how the English government has acted upon it. Did it not, after the note was written, allow us to destroy Naples? To be sure, it stated that it was a very wicked act, and it exhibited some pouting and blustering beforehand; but it did not interfere to prevent us from accomplishing our object. These words, therefore, are intended for another forum: they are meant for the Lords, Commons, and public of England.

but inactivity and indifference will be observed towards what we may do." That, he had no doubt, was the reasoning which the allied powers held with regard to lord Londonderry's circular. He would not dwell upon the spirit which had governed all the early part of the negotiations—a spirit similar to that which prevented certain persons from mentioning "hell to ears polite." It was in that spirit that the British government had talked of the infamous and unprovoked attack upon Spain as a "great and unnecessary assumption of responsibility," at the same time urging the great danger which might result from it to the house of Bourbon. He regretted that all the facts which had been made known with respect to the late negotiations, had not sooner been communicated to parliament. He had been led to suppose, from the tone adopted by the noble earl opposite on a former occasion, that ministers had succeeded in preventing France from carrying her designs into execution, by means of negotiation. He (lord H.) had then observed to himself that there must be some dexterity in the case. Did he blame ministers for that? Certainly not: if ministers chose to exercise their dexterity to gain a desirable object, he would not blame them if they succeeded. Talking upon this subject put him in mind of the sportsmen with whom he used to mix in his younger years, some of whom, instead of following in the direct tract after the hounds, would take to the gaps in the hedges; if they came in at the death they were said to be clever fellows, who knew the country; but if they failed to do so, they became the derision of the party. This was precisely the case of public men who chose to adopt an intricate and cunning mode of conduct. If they were successful they were called clever fellows; and if otherwise, they became the scorn of the world. The noble earl had talked a great deal about the faults of the Spanish constitution. At the time that constitution was first established, he (lord H.) had ventured to state in that House, that it was not without imperfections, and that he considered it unwise to write a constitution to meet every possible case that might arise. He had lived for some time in Spain, and since he had left that country he had maintained constant communications with the friends whom he had known there; it might, therefore, be supposed that he possessed some knowledge of the manners and feelings of Spaniards. Yet he had not ventured, like the czar of Muscovy (who doubtless was better able to obtain information upon those matters from the midst of his ices and snows), to declare that the constitution of Spain was not suited to the habits of the people of that country. In spite of which declaration, however, he had not hesitated to guarantee the safety of that constitution. That guarantee, the czar, as well as the other members of the holy alliance, had afterwards got rid of, by observing that, at the time they signed it, it was necessary, but that it was no longer so. Upon this point he could not help mentioning a circumstance which had come to his knowledge, and which would show how those persons who talked so decidedly of the faults of other governments behaved when they received the least hint of the existence of imperfections in their own. In 1814, the government of Russia was, to use a nautical phrase, on the "liberal tack." The autocrat czar emperor talked a great deal, then, about the constitutional system, and expressed a wish to give a constitution to the duchy of Warsaw, by way of experiment. Upon this subject lord Londonderry entered into a confidential correspondence with the emperor of Russia. Lord Londonderry addressed the emperor in the following manner:—"If your imperial majesty is anxious to make experiments in constitutions, your majesty possesses many provinces of your own, and may as well begin to make the experiments in some of them." That was a very pertinent and a very forcible remark. But the mighty emperor was upon the high horse, and could not endure to be spoken to in that style. He, therefore, wrote back to lord Londonderry in the following terms: "When I came to that passage of your lordship's letter, in which you talked of my duty to my own subjects, and the conduct that I ought to adopt towards them, it required all the confidence which I repose in the purity of your lordship's intentions, to enable me to recover from the impression which those observations made upon me." His imperial majesty then went on to say, "I think it much better that the correspondence should drop." This was the conduct of the man who presumed to give an opinion with respect to the fitness or unfitness of the constitutions of independent states, without having any grounds upon which to form his opinions. Suppose the noble duke opposite had been accosted, whilst riding at Verona, by some of the hussar or calmuck attendants of the emperors of Austria and Russia in the following manner: "Your grace's horse is rather wild, he does not go well in his paces, he is heavy in the shoulder," and so forth. He could imagine that the noble duke would have replied, that he had ridden at the head of armies in many countries, and that he thought he was a judge of a good horse, but that he might be mistaken, and so he would have let the impertinence pass. But, if a Venetian nobleman, who had never before stirred out of his gondola, should have come up to the gallant duke, and exclaimed "I never saw such a wretched horse in my life!" he believed that his grace, in spite of all his good nature, would have felt very much inclined to give the intruder a cut with his whip, and to have sent him about his business. At the commencement of his speech, he had said, that the noble earl who spoke last had manifested much ignorance of the constitutional history of Spain. The noble earl did not seem to be aware that the monarchy was never hereditary in Spain, until it was made so by the present constitution. The king of Great Britain always succeeded to the crown by right; but, until the government of the cortes was established, the king of Spain succeeded by election. No law was promulgated in Spain, which did not state at the commencement, that nothing therein contained should be executed until approved of by the cortes. The noble earl had said, that only a slight alteration of the Spanish constitution would have been sufficient to satisfy France. But, if the Spaniards had consented to any modification of the form of their government, it would have been considered a complete triumph on the part of the allied powers. It was not true, as the noble earl alleged, that the constitution had produced all the evils which at present existed in Spain. The same objections which were now made to the Spanish constitution, might, with equal justice, have been applied to the constitution of this or any country shortly after a great political convulsion. Let the constitution of Spain have time to operate, and to make its effects felt throughout the country, and the evils which were now lamented would speedily disappear. The noble earl would not tell their lordships what the Spanish constitution, which had only been established eight years, had done, but he said he would tell them what the Edinburgh Review said about it. In opposition to the noble earl, he must contend, that there existed many obstacles to an alteration of the Spanish constitution. The oaths which the noble earl made so light of were one of the chief obstacles to such a measure. He thought the strict adherence of the Spaniards to their oaths was one of the surest tests by which to judge of their inclination to obey the laws of their country. The noble earl would have had the Spaniards go to the pope of Rome, or any where else, to get absolved from their oaths; but in his (lord H.'s) opinion, their adherence to the obligations which they had entered into was more honourable to them than would have been a departure from them for any purpose whatever.—He could state many reasons which must have decided the Spaniards not to comply with the demands of foreign powers; but he would just show how difficult it would have been to do so. In the papers on the table, it was stated as a great objection against the existing constitution of Spain, that the king could not marry whom he pleased. That might be made a good plea for the invasion of this country. But, however, the emperor of Russia, having said that the king could not marry, the noble duke opposite observed that his majesty could not "perform his functions." Then came M. de Chateaubriand, who objected that the king was not permitted to go to the watering places. The noble duke had also stated that his majesty was not trusted. These to be sure (continued his lordship) are very special objections to a constitution. We must then supply a constitution such as this monarch ought to give; for to that issue the matter comes at last. But then comes that notable suggestion made through our ministers—"Raise the qualification of your members of parliament, and have two Houses. But, will his majesty of Spain be able to perform his functions so much the better, if the members of the legislature have each of them a larger estate than he possesses at present? Suppose the king to have this sort of constitution prepared for him, will that circumstance better qualify him to perform his functions? Will he be satisfied, provided he has a larger parliament, and a richer House of Commons? But then it has been said, "You ought to have two chambers. Now this is a most extraordinary remedy to propose for that which it has been presumed is so great an evil. For what is the case? The first chamber will not allow you to perform your functions, and therefore you shall have two, say our ministers to the king of Spain. That is, instead of having only your hands tied, your legs shall be bound also. What kind of reasoning is this? I have always understood, that when you wish to induce a person to do something that is disagreeable to him, you must at least endeavour to show him that he will benefit by it. But here your proposal leads to precisely a contrary consequence. Did we offer any sufficient inducements for their adoption? Did we say to Spain, "If you agree to these you shall not have a war with France?" No. Did we say, "Concur with us, and France will desist from all further designs upon your rights and your territory?" No. Did we say, "if she is still so unreasonable as to persist in her aggression, we will interfere to compel her to desist?" No, not a word of the kind. Was not the absence of any such offers in us most unreasonable conduct towards Spain? You asked her, to depart from the whole course of her policy. You asked her in a moment of dissention and disunion, to quit the only rallying point she had, and to abandon, at such a crisis, her principles and her government. I protest that I believe no man can read the papers which that government issued on a late memorable occasion, without a deep conviction, that in such men as San Miguel, and Galliano, and my noble and disinterested friend Arguelles, Spain possesses champions whose ardent devotion to the best interests of their country, is sufficient to defeat the host of sophists and diplomatists that would compromise her freedom. The noble earl says, that our policy has been, to avoid, as much as possible, all interference between the two powers; and to maintain a neutral and pacific attitude. I deny the noble lord's position; for I say that that is not the question here. Why did his majesty's ministers think it was for the interests of this country to send diplomatists abroad for the purpose of preventing the rupture? What was the principle of that interference? It was, that they thought it the best course to hinder a war from breaking out between France and England; and I contend, that the proceeding which would adequately have effected this object, would also have prevented the war between France and Spain. Perhaps I shall be told by the noble earl and his colleagues, that I am for war, and they are for peace. I confess I have not war, but I ask his majesty's government, whether they are satisfied of the continuance of peace? Do they not know that since these papers were laid before the House, circumstances have arisen to make that fact questionable? Have they heard of the late capture in the West Indies? Do they know that that capture was effected under orders sent from home? Are they aware that the insurance-offices will be called upon to pay for it? It will be in your lordships recollection, that when, upon a former night, I asked the noble earl opposite, whether any treaty had been concluded between Russia and France, the noble lord replied, that he had neither seen nor known of any such a treaty. Will he stand up in his place now, and say that none such exists? Will he stand up and declare that no agreement of this sort subsists, for carrying into execution the stipulations agreed to at Laybach and Verona? Your lordships must see how strangely and how carefully, whenever this question is adverted to by ministers, Russia is always kept out of view. The noble earl who spoke last, says, "if the French succeed, I don't see much danger of war to this country." No danger? What is to avert it? The noble lord tells you, "we have the assurances of Portugal, our ally, in our favour." But does the noble lord mean to say, that, when the French shall have established an arbitrary government at Madrid, the establishment of the Spanish constitution at Lisbon will not be as good a motive with them for waging war against Portugal, as it has already been for invading Spain? Is there that vast dissimilarity of language, of situation, of interests, of connexions, between the two kingdoms, that Portugal can reasonably expect a more favourable consideration? Either they must leave the Spaniards to themselves (which I by no means believe they will do), or in Spain they must continue French armies. In that case what is the guarantee that really remains to us? Why, the assurances of the House of Bourbon, and the moderation of a French army in the hour of victory! Of such a security as this, I give the noble lord joy. But then, says the noble lord, "whence this anxiety for a constitution obtained by military force? The constitution of Spain was effected by force; it was extorted by soldiers." Suppose it to have been so, is it on that account to be put down? Let the House recall to mind the circumstances under which it was achieved, and the monarch under which it was obtained. And are instances wanting, in our own history, where arms have acquired liberties? Would that benevolent monarch, that amiable man, king John, would he, I pray, voluntarily and of his own free grace and favour, have accorded Magna Charta to the barons? Does the noble lord mean to affirm, that to the government of France and all the other continental governments—those allied enemies of constitutions so irregularly obtained—the freedom of the press in this country, and the publication of the discussions in both Houses of parliament is no grievance? No grievance, my lords? It is a fearless tribunal which holds up their iniquities, and publishes their transgressions to the world. Then as to the danger of a future war between this country and the French—"Oh," cries the noble earl, "let them come and try!" Why, this indeed is the good old Tory defiance, if I mistake not, and sounds bold and confinent enough; but let us see how it is sustained. If that noble lord and his colleagues really think it the right policy to be adopted, why all these alliances? To what purpose the expense of all these embassies and negotiations; with what object these numerous treaties? The noble lord went on to show, that the noble earl who preceded him had been totally mistaken as to facts, for that the Peninsular war between Spain and France was as hostile to our safety, and as prejudicial to our greatness as any wars in the Low Countries could be.—But, O! said the noble earl, we have tried it before, and we know the consequences. Did the noble earl, or did any of his friends near him, mean to say, that from the peace of Utrecht down to the French war, there had been a single year in which the influence of French councils upon Spain did not operate to our prejudice? Much had been said about the American war, as compared with other periods of our history; but he would challenge any noble lord to put his finger upon any period of our history, since the reign of Elizabeth, in which we ran a greater risk of total annihilation, than we did during the American war, from the combined operation of the French and Spanish fleets. Did the noble lords opposite mean to say, that if the French took possession of Cadiz or Madrid, this would alter or confirm the elective monarchy? As those noble lords had referred to our principles with respect to Naples, he would refer to our practice with respect to Naples, and ask, what man was there who would deny, that Naples was at this moment in the military possession of Austria? What, then, were they to expect from the military occupation of Spain by France; supposing the latter power to accomplish the object she had in view? He ridiculed the idea of our being unable to give any effective assistance to Spain, except by means of a large army. Did not the noble lords know that much might be accomplished by sending a fleet into the Mediterranean? Did they not know that much might be accomplished by the moral influence resulting from the concurrence of this country in the cause of Spain? He was old enough to recollect the events which immediately preceded the French revolution; and, whatever difference of opinion might have existed between Mr. Pitt and himself upon certain points, he was ready to admit, that that statesman was perfectly sincere in his professions of neutrality in 1792. This was the more apparent from the reductions which he made during that period. He (lord H.) could not, however, conceal from himself, that in no longer a space than one year and a half from the declaration of neutrality, this country had been precipitated into a war, for the sole purpose of replacing the Bourbons on the throne of France. The noble lord observed, in conclusion, that our failure in the late negotiations had been produced, partly by error in judgment, but in a greater degree by a want of that firmness which we ought to have maintained; and that in consequence this country had lost the glorious opportunity of resuming her antient station amongst the nations of Europe, and of becoming the patroness of the weak, and the advocate of civil liberty all over the world.

Lord *Granville* contended, that his majesty's ministers, in the conduct they had pursued, had consulted the best interests of the country, by using their utmost efforts to maintain a strict neutrality. On this occasion, although he had no doubt that if any circumstances of indispensable necessity should ever require that a war should be undertaken, the people of England would make every necessary sacrifice with that cheerfulness and good-will, which, on all occasions affecting the national welfare, had distinguished them. At present he saw no such case. The government of this country had done all that it was necessary for them to do, by the intervention of their good offices. He should therefore, move, by way of amendment, an address to his majesty,

"To assure his majesty of our entire concurrence in the principles which his majesty has repeatedly declared with respect to interference in the internal concerns of independent nations, and in his majesty's just application of those principles in the course of the late negotiations to the case of Spain.

"To acknowledge with gratitude his majesty's earnest and unwearied endeavours to preserve the peace of Europe.

"To express our deep regret that those endeavours have proved unavailing, and, while we rejoice that his majesty has not become party to a war in which neither honour, nor treaty, nor the welfare of his majesty's dominions, required his majesty to engage, to assure his majesty that, highly as we estimate the advantages of peace, particularly at the present moment, we shall be at all times ready to afford to his majesty our most zealous and affectionate support in any measures which his majesty may find necessary to fulfil the obligations of national faith, to vindicate the dignity of his Crown, or to maintain the rights and interests of his people."

The Duke of *Buckingham* said, he objected not only to the address, but to the arguments by which it was supported, though nothing could be more different from the argument of the noble mover than the address with which it concluded. The address preached peace; the arguments to enforce it were all for war. If he (the duke of Buckingham) was to go down with infamy to posterity, under the sentence of the noble lord, the noble accuser would be included under the same charge. Let the noble lord look at his own speech. He was condemning the interference with the politics of Spain: the whole tenor of his speech was, that they should interfere in the internal politics of France. The question was, whether this country should continue at peace, or should renew hostilities?—a question of so grave an import, that he hoped it would be kept sacred, if it possibly could, from the influence of popular clamour; yet there was no question within his memory, that had been discussed more in the spirit of popular clamour, and less with sober judgment. The supporters of the address told them, that their policy was neutrality—their spirit was war. If they had had to negotiate, and had done so in the spirit in which they spoke, they must have involved the country in war. Like the lyre of the poet, which would sound to nothing but love, the harp of the noble lord could sound nothing but war. With respect to what passed at Verona, the duty of this country was obvious; its path was straight. There needed no instructions for his noble friend (the duke of Wellington). We had done enough for Europe. It might be matter of regret, that France, who had so long suffered under the calamities of war, should so soon voluntarily renew the scenes of blood and desolation. But we were not to sacrifice our own tranquillity, because they threw their's away. It was only necessary for us, standing on the high eminence on which we were placed, to warn the nations against the perils of war. He was far from saying that, if this country was compelled to enter into a contest, she could not support it with dignity and success; but we were in the situation of an invalid recovering from a dangerous illness; the tide of life was strong, but it might be fatal to us lavishly to waste it. As to the changes in Spain, they formed no cause of war for us, so long as they threatened us with no danger; but, there was no law of nations which authorised us to judge of the dangers of France. We had no right to tell France she was in no danger; we had no right to interfere by remonstrance, much less by hostility. The question did not affect the balance of power [Hear! from the duke of Sussex.] The illustrious duke who cheered, should know that the balance of power in former times was very differently affected by the influence of France over Spain; because it was not the dominion of Spain alone that was then in question, but the dominion of Spain and the Indies, which were now torn from it. Not Portugal alone, but Portugal and Brazil. Not Spain possessing vast revenues and commercial influence, but Spain with half her revenues torn from her, and all her commercial influence gone. If cause for war existed, still nothing but the strongest necessity would justify it, under our present circumstances. What was it should tempt us to war? Was it the state of our commerce? Was it the state of our agriculture? A war would ensure the separation of the Netherlands from our alliance; the loss of Hanover. It would endanger the occupation of the rest of Italy by Austria, of the East by Russia. Was the illustrious duke, who took so lively a share in the discussion, ready to go to war upon those terms?—But, it was not merely from these considerations that he objected to war. He could not concur with those who envied the feelings of their opponents, because they could advocate war without the responsibility of undertaking it. He could not, while he proclaimed the necessity of maintaining neutrality, invoke Heaven for the triumphant success of one of the contending parties [Hear!]. He wished most that the country should remain at peace; but if the country were forced, in its own defence, into the war, he prayed God they might not be called into the field to maintain the principles which had been triumphant in Spain [Hear, hear! from the Opposition side]. He was prepared for these cheers, he was prepared for the obloquy. He did not consider that at least a cause of degradation. The principles he now professed he had been educated in. They were those which he had followed during the whole of his political life, and which he trusted would accompany him to its close. He did not forget the horrors of revolutionary times, the misery of revolutionary warfare, the dreadful result of the spreading of revolutionary doctrines over Europe. He saw little in Spain but the continuation of those doctrines. Noble lords might make his declarations the subject of derision and obloquy, but there was not one who, on retiring to his closet, could conceal from himself, that the spirit of revolution was as rife in Europe as ever, and was endeavouring, by means of military insurrections and Carbonari secret associations, to overturn all established institutions by military force. His opinion might be of little weight; but he appealed to those who wielded the destinies of this great empire. For thirty years they had been calling on the people to pour out their blood to stop the fiery torrent; and they had not called in vain. Its blood had been poured forth like water. For thirty years they had been calling upon it to put forth its treasures, and strain its resources to oppose its progress. The country obeyed the call, and its treasures and resources had been taxed to the uttermost farthing. And now, if they were obliged to go to war; if the obstinacy of one party and the blindness of the other made it impossible to preserve peace; he implored them not to call on the people to pour out their blood again, and again to drain their treasures, for the maintenance or advancement of those detested principles which they had heretofore successfully opposed.

The Duke of *Sussex* expressed his acknowledgments to the noble duke for having taken such particular notice of him; but he could not help cheering when he heard the noble duke's observations respecting the balance of power. When he heard those observations he could not avoid calling to mind how seriously the balance of power in Europe had been compromised, particularly in the cession of Genoa to Austria; and he thought he might add the instance of Norway. In his estimation, those arrangements were not exactly consistent with the due maintenance of the balance in Europe. He would not further interrupt the debate; the subject of which was one of the deepest interest. He, however, would add, that his ideas on that subject, though they might be humbly expressed, were entirely contrary to those which had been uttered by the noble duke.

Lord *King* declared, that, upon a review of all the transactions between France and Spain, the only inference he could draw, was, that England was to be kicked and cuffed about by foreign powers, because of the pusillanimity of a disgraced government. He had read the papers on their lordships' table with shame, grief, and disappointment. Throughout them, he could not find one honest or manly sentiment, one opinion suited to the occasion, one declaration becoming the character of candid, upright, and fair statesmen. He would not admit that this forbearance was attributable to a prudential policy. It was cold apathy and indifference to the cause of Spain, and the cause of liberty. To find a parallel for such conduct on the part of a British ministry, their lordships must go back to the disgraceful times of the

Stuarts. In the reign of Charles 2nd, alone could be found a similar instance of baseness. When, in 1685, Louis 14th determined to annex the Spanish Netherlands to the dominion of France, the language of Charles was like that of the present ministers—"Come what may, his majesty is determined to be no party to it." This was exactly the base principle of the base government of Charles 2nd. What was the meaning of that passage in the account of the transactions at Verona, in which the plenipotentiary of Great Britain, on learning the determination of France to invade Spain, declared that nothing remained for him to do, but to require the good offices of the British ambassador at Madrid to allay the ferment which must attend the developement of the French aggression? It was not a little remarkable, that, upwards of a century ago, when the violent events he had alluded to were pending, the negotiator for England on the continent was lord Churchill; Mr. Fox, in contrasting that nobleman's situation when he was an ambassador and when he was a soldier, had truly remarked, how great he appeared at one time, and how little at another. The reason of this difference was, that he was at one time in the field, gloriously asserting the liberties and independence of nations; at another, the tool of a base government, having nothing in view but the suppression of free principles, and the maintenance of the legitimates of that day. There were some persons who were fond of comparing the duke of Wellington to the duke of Marlborough. He was sorry that, in this part of their respective careers, the resemblance was so striking. The noble president of the council had pronounced upon the noble duke an unqualified panegyric, and had told him, that his negotiations were equal to his victories. Until he had heard such an assertion made, he hardly thought the greatest of the noble duke's panegyrists would have gone to such a length. In the noble duke's negotiations he saw no grounds for such panegyric—he saw nothing to justify it in his correspondence at Verona, nor in his instructions to lord Fitzroy Somerset. The negotiations in which he had been engaged, had had no other result than to rivet the despotism of the continent. Looking back to the peace of Paris, he could see nothing in the negotiations on that occasion, but a surrender of the real interests of Europe; and for what? To re-establish the Bourbons upon the throne of France, and to extinguish, as far as possible, every trace of popular rights. It was true that the blood and treasure of England had profusely flowed to stem the torrent of continental despotism; but where was the glory in the result? One great despot had been overwhelmed; but three had been erected in his place. It was a maxim that limits were set to the most perfect works of human genius. So it was with the treaties of Paris and Vienna: their peace-making had ended abruptly, and had left the world again involved in a struggle for liberty. These being his sentiments, he should support the original address.

The Earl of *Aberdeen* defended the conduct of the noble duke, to whom the noble lord had so pointedly alluded, and said, that the whole progress of his negotiations had evinced the steady practical view which he had taken for the preservation of the peace of this country. He had been charged with not foreseeing the determination of France to make war against Spain. But, did any man believe that it was either the policy or the interest of France to wage such a war, if it were possible to avoid it; or that she would not have gladly refrained from hostilities were any concession made by Spain, to allay the cause of the disquietude of France, and to afford her a reason for withdrawing without reproach from the contest." But even if the noble duke had been as thoroughly persuaded of the duplicity of France as noble lords opposite now were, he was still prepared to contend, that the noble duke was justified in holding the language he maintained in the negotiation. Taking lord Londonderry's paper of 1821 as his guide, without involving himself in the noble duke's endless interchanges of notes, the noble duke wisely directed all his arguments, to show France the dangers that might follow the invasion of Spain. Such arguments, coming from such a quarter, were calculated to have weight in the French councils. But the noble lords opposite said that our negotiators ought to have asserted a higher tone, and to have adopted more menacing language. Had, however, such a course been adopted, besides increasing our difficulties, he questioned whether it would not have largely contributed to make the war against Spain popular in France.

The adoption of menacing language would have been made matter of charge against England, and would have been used as an argument in support of the war. Had England used menacing language, what would have been her situation at the present moment; especially if hostile measures had been threatened without being adopted? Would not England have been exposed to the ridicule of the whole world? And if menacing language used without effect, had been followed by hostile preparations, what would have been their lordships situation at that moment? Were they quite sure what would have been their lordships' feelings under such circumstances? As to the conduct which the ministers had to pursue, it would be recollected that they had to deliberate before they involved this country in hostilities. Were they, on light grounds, to run the risk of interrupting that surprising prosperity which had attended the commercial transactions, in particular, of this country? Were they to expose such improvements to be checked by war? Were they, without the utmost deliberation, to involve the country in fresh taxes and new difficulties, by engaging in a war of which they could not possibly calculate where or when it would end? Had the ministers so acted, he was sure they would have been censured for their rashness; or, had the noble duke adopted the tone which some advised, he was sure the noble duke would have been accused of viewing with complacency that state of things which might afford fresh opportunity for his personal exertions. It had been so said of the duke of Marlborough; it might then have been so remarked of the noble duke. He had, on the contrary, laboured to preserve peace; and he could not but think that had the noble duke pressed the sentiments of the English government in a tone of menace, the difficulties of the country would have been greatly increased. What he most admired in the diplomatic conduct of the illustrious duke was, the straight-forward and sincere way in which he had addressed himself to the preservation of the peace of his country, and the declaration of her policy to maintain a strict neutrality between the two belligerent powers. He never gave a vote with less doubt of its propriety, than he did that which he was about to give against the proposed address.

The Earl of *Darnley* defended himself and his noble friends from the imputation of being advocates for war, and from a wish to cast blame upon the government for not pressing matters to hostilities. That imputation was undeserved. He founded the vote he should give upon quite a contrary assumption. Ministers would find him perfectly ready, if it could be shown that the policy pursued by them was more likely to preserve peace than to lead to war, to give them credit for that policy. With respect to the part which the duke of Wellington had taken in these negotiations, no doubt that illustrious person had acted according to his instructions: but he must say, that the manner in which his majesty's government had directed these negotiations, evinced, throughout, a desire to establish principles of despotism and bigotry, in opposition to those of liberty and toleration. Peace might be preserved for a time, on the mean and compromising principles adopted by his majesty's ministers, but he doubted not that we should be ultimately involved in a war under infinitely greater disadvantages than we should have had to encounter, if a more manly, and dignified policy had been pursued.

The Duke of *Wellington* said, that after the observations which had fallen from the other side of the House, he felt himself called upon to rise, at that early period of the debate, to vindicate the part which he had taken in the conferences at Verona. He thanked his noble friend behind him (lord Aberdeen) for having already urged so ably some of the topics on which his vindication would rest. He stood before their lordships, not only as the individual who had carried on the negotiations at Verona, but also as a member of the cabinet which had drawn up the instructions upon which those negotiations had been conducted, and he called upon the noble lords opposite to state to him whether, at the commencement of those negotiations, they would have taken measures of war or of neutrality for the basis of their future proceedings? As yet they had not declared whether they meant peace or war. Their arguments would lead to war, but they still seemed to lean to pacific measures; and he called upon them, therefore, to adopt one line or the other. The government, however, of which he formed a part, had determined on preserving a strict neutrality. They sent him to Verona with instructions to that effect; and in conformity with the spirit of those instructions, he had carried on the negotiations, the merits of which their lordships were that evening assembled to discuss. With such instructions he had entered into conference with the ministers of the other powers. Into the details of those conferences he would not enter at any length; indeed it would not be his duty to do so. His majesty's government had furnished the House with such parts of them as it thought necessary; and upon those alone he would consent to rest his defence; merely premising, that the arguments which he had used at Verona were not addressed to a British public or to a British parliament, but to the ministers of powerful and independent states.—He would now proceed to the charges which had been brought against him. He had been blamed for not having placed in a more prominent point of view, the principles laid down in the state paper drawn up by the late marquis of Londonderry, in 1821. Now, he appealed to the papers themselves as affording a decisive refutation of this charge. He had alluded to that very paper on three or four distinct occasions; though, in point of fact, it was very immaterial whether he had done so or not; as the principles which that state-paper contained had never been admitted by any one of the allied powers. He had not been sent to Verona to argue the correctness of those principles, but to refuse, on the part of the British government, to interfere at all in the internal affairs of Spain. On that principle he had stood during the whole course of the negotiations; and, from first to last, he had endeavoured to dissuade the allied powers from interfering in them, by urging at one time those difficulties which his own experience in Spain suggested to him that they must meet if they persisted in such a design, and by stating at another the embarrassments which it was likely to create to the French government if it should pertinaciously determine to carry it into execution.

Another view had also been taken of his conduct at Verona. At the time that he went to the congress which was held there, the French government offered to the consideration of the allied powers three propositions; all of which were declared by it to rest upon the single ground of defensive operations. It had been stated, that by those propositions he had been completely duped. Such a statement he begged leave most positively to deny. If noble lords would only take the trouble of reading over the papers, they would discover, not only that he had foreseen, but that the government at home had also foreseen, the probability of the French cabinet resorting to offensive operations. But, even though such had been the case, was it his duty to go and insult the sovereigns and their ministers who formed that congress, by telling them that he disbelieved the grounds on which they stated their readiness to enter into discussion? Was it his business, wishing as he did to preserve tranquillity in Europe, to seek an occasion of bringing forward topics, which, when brought forward, must excite difference of opinion at least, if not the greatest irritation? Was it his business, acting as he did, almost in the capacity of a mediator, to use arguments of menace and of force—arguments, which the noble lords knew that he was by no means instructed to support?

He was thankful to the noble lords opposite for the desire which they had expressed that he might come out of this discussion with an untainted reputation: but he should have felt more confidence than he now did in the sincerity of that desire, if he had seen no inclination in those noble lords to pervert, and misquote, and misrepresent his language, and to attribute to it meanings which it did not naturally bear, and which, if it did, they must have been certain were never intended. The first of the misrepresentations of which he complained was contained in a charge made against him by the noble baron who had opened the discussion. The noble baron had accused him of disobeying the orders which he had received, because, in the note which he delivered in to the allied powers on the 30th of October, he had not fully stated the instruction which he had received from Mr. Canning on the 27th of September. That instruction was of this nature:—"If there be a determined project to interfere by force or by menace in the present struggle in Spain, I am to instruct your grace at once frankly and peremptorily to declare, that to any such interference, come what may, his majesty will not be a party." Now, he would ask, whether at the period at which he delivered in the note in question, there was any reason to believe that any determined project was in agitation to interfere by force and menace in the affairs of Spain? At that period he was asked to give his opinion upon three propositions of a defensive nature, made by the French government; and he must say, that no appearance of force or menace was to be found in those propositions. As soon as a disposition was evinced to interfere by menace and force of arms in the affairs of Spain, that very moment he had declared, that to such an interference the king, his master, would be no party whatever; nay more, he had declared, without reserve, his majesty's opinion upon the subject of interference with independent nations, precisely as it was stated in the despatch of lord Londonderry, and he had conveyed that declaration to the foreign ministers in the strongest and most energetic language that he could use. That language was as follows:—" But his majesty's government are of opinion, that to animadvert upon the internal transactions of an independent state, unless such transactions affect the essential interests of his majesty's subjects, is inconsistent with those principles on which his majesty has invariably acted on all questions relating to the internal concerns of other countries; that such animadversions, if made, must involve his majesty in serious responsibility if they should produce any effect; and must irritate, if they should not: and, if addressed, as proposed, to the Spanish government, are likely to be injurious to the best interests of Spain, and to produce the worst consequences upon the probable discussions between that country and France. The king's government must, therefore, decline to advise his majesty to hold a common language with his allies upon this occasion." Surely, noble lords, after reading this extract from the minute of the 20th of November, would acquit him of the charge of disobedience to the orders which were transmitted to him by the cabinet at home.

He next came to the censures which had been pretty lavishly bestowed upon him, for the remarks he had made regarding the French Army of Observation. Now he would ask, whether any of their lordships were prepared to dispute that France had a right to assemble such an army, when a civil war was raging along the whole length of her southern frontier, and when repeated inroads were made into her territory by each of the two contending factions? Yet that was all that was contained in his note. Their lordships should hear it:—" Considering that a civil war exists in the whole extent of the frontier which separates the two kingdoms; that hostile armies are in movement and in operation in every part of it; and that there is not a town or village on the French frontier which is not liable to insult and injury, there is no person who must not approve of the precaution which his most Christian majesty has taken in forming a corps of observation for the protection of his frontier, and for the preservation of the tranquillity of his people." The noble baron had quoted that part of his note; but he had forgotten by some accident or other, to allude to the very next paragraph, which ran thus:—" His Britannic majesty sincerely wishes that this measure may be effectual in attaining the objects for which it is calculated; and that the wisdom of the French government will have induced them to explain it at Madrid in such terms as will satisfy the government of his Catholic majesty of its necessity." Now, it did appear to him most extraordinary that he should be found fault with on this point; and especially by those who were contending that the invasion of Spain by France rendered it necessary that we should put forth a large naval armament to observe the proceedings of France in that country and to protect our interests from any danger to which those proceedings might possibly expose them. In the representations he had made, he had taken care not to fail in that respect which all must acknowledge to be due to the illustrious individuals who formed part of the congress at Verona; but, at the same time, he had also taken care not to fail in his duty to his country, by any relaxation in the language of his representations, which were made in the fullest, the fairest, and the strongest terms that his mind could suggest to him. Indeed, he believed, that if noble lords would take the trouble of inquiring of those who attended at the congress, they would find that there had not been any deficiency on his part in making strong representations of the intentions of the British government, but that he had gone upon every point to the full length of his instructions, and indeed as far as it was possible for him to go without giving offence to the different powers with whom we were then in amity and alliance.

The noble duke then proceeded to defend his conduct in sending lord Fitzroy Somerset to Madrid, with a memorandum of the changes which he thought might be made with advantage in the Spanish constitution. He thought that even the noble baron himself would allow that some change in it might be fairly admitted, and that the object of his memorandum was so clear as to answer of itself all the charges which had been brought against it. The noble duke here read a part of his memorandum of the 6th of January, and afterwards contended, that it did not contain a single syllable which could hurt his reputation, seeing that the object of it was to induce the Spaniards to make some change in the constitution, in order to avoid the evils arising from a ruinous civil war, and a still more ruinous foreign invasion. The noble duke concluded, by saying, that he could not allow the debate to proceed without making these statements and that upon them he rested his defence, not only before this country but before Europe, and the civilized world.

Earl *Grey* said, he rose for the purpose of giving an answer to the question which the noble duke had put to the Opposition side of the House, though under a feeling of considerable despair that, if that question had not been sufficiently answered by his noble friends who had preceded him in the debate, it would be impossible for him to give such an answer as would be deemed satisfactory by the noble duke. The noble duke had asked them, whether they meant peace or war? He should, perhaps, argue at some length upon that point before he came to the conclusion of his observations, but, in the mean time, he would shortly state to their lordships, what his proposition was regarding it. Feeling, not as the noble duke on the cross-bench felt, that the balance of power was any thing or every thing or nothing, but feeling that it was most essential that it should be preserved for the preservation of the tranquillity and independence of Europe; feeling, likewise, that it was subject to the greatest possible risk of destruction, if France were allowed to complete the conquest and subjugation of Spain, he would tell the noble duke, that, when he saw this country placed in a situation of danger, against which every country ought to be on its guard, and against which this country had been on its guard at every former period of its history; he would tell the noble duke, he repeated, that in the first place he would have made those temperate, but firm remonstrances which the justice of the case required to be made against those who meditated such unjust aggression; and in the second, that he would, if they had proved unsuccessful, have supported them by that power which God in his wisdom had granted to this country. That was a point on which he should be hereafter compelled to trouble their lordships at some length, but he thought that what he had said was quite sufficient for his present purpose.

He now came to the consideration of the policy of this country, as it had been stated, in the course of the debate, by the noble lord who had undertaken the defence of government, and also by the noble duke who had just sat down. But before he proceeded to that part of his speech, he must guard himself against an imputation which had been cast by the noble duke (he supposed without any offensive personal application) on those who sat on the Opposition side of the house, of having misrepresented, misquoted, and intentionally perverted the meaning of those documents which were found among the papers subscribed by his illustrious name. He disclaimed, for himself and for the noble friends with whom he acted, any such intention. He deprecated, he deplored, he lamented the degradation which had fallen upon this country in consequence of the part it had taken in the late negotiations; most of all he lamented that the name which was the most prominent in these negotiations, which had entailed such lasting infamy on the country, should be that of the noble duke, who on other occasions had shed such lustre and such glory upon it. This was no vain compliment on his part to the noble duke. He could assure him that, proud as he felt and as every Englishman ought to feel at the glory which the noble duke had acquired for the country, by his talents and prowess in the field, he felt no less ashamed at seeing that glory, so acquired and so maintained, tarnished by the share which he had taken in the late disgraceful conferences at Verona. He did not accuse the noble duke personally, neither did his noble friend who had so ably opened this discussion, of having acted there in disobedience to his orders. On the contrary, he believed that the conduct of the noble duke was in perfect conformity with them, and that it had received the full approbation of all his colleagues in the cabinet. What he lamented was, not that the noble duke had disobeyed his orders, but that he had acted so completely in their spirit, that he had made himself so prominent an agent in negotiations which were attended with such disgrace and infamy to the country.

He now came to the discussion of the principles on which those negotiations rested. And here he must say, that, recollecting the opinions which had been formerly held, and the statements which had been formerly made, by the noble lords opposite, he had heard with the utmost surprise a declaration come from them, in a British House of parliament, that there could occur a case in Europe so deeply affecting the interests of this country—as the invasion and perhaps the military occupation of Spain by France necessarily must affect them, in which it was the determination of ministers, contemplating the results of such a measure in the serious light they did, to preserve, at all events, a strict and undeviating course of neutrality. He repeated, that such a declaration had excited in his mind the utmost surprise. Knowing, as he did, the transactions which had occurred in the early life of the noble earl opposite (lord Liverpool), and recollecting, as he well recollected, that the noble earl's first effort in public life an effort which gave promise of that distinction to which he had subsequently arrived—was made in showing that it was necessary to preserve, "at all events," the balance of power in Europe, which at that time he considered in danger from the possession of Oczakow by the Russians. When he recollected all the declarations which the noble earl then made as to the necessity of preserving the balance of power, and of preventing any individual nation from obtaining an ascendancy in Europe over the other nations which formed part of it—when he recollected how ably the noble earl then contended, that it was necessary to maintain it unimpaired, and to prevent any individual nation from rising to wealth, and eminence, upon the ruins of another—it was with a degree of surprise from which he had not yet recovered, that he had heard it stated, that at all events, "come what may"—Oh! laudable ambition! Oh! praise-worthy determination to carry the country to the highest pitch and pinnacle of glory!—that, "come what may" even though Spain should be subjugated to France, and that scheme of aggrandizement which Louis 14th had contemplated but could not execute, which that much greater man Napoleon had likewise attempted, but had attempted, in vain, should be carried into execution by the Bourbons of the present day—that at all events, his majesty's government would not interfere in any way to prevent it. If such had been the resolution which had been individually and collectively taken by his majesty's ministers, he was not prepared to say, that the conduct of the noble duke, in acting upon it as he had done, was at all culpable. But instead of coming to a determination to preserve a strict neutrality, we should have gone to congress with a determination to protect and maintain every principle of international law, to vindicate the independence of free nations, to uphold the system of the balance of power, and to secure the country against that danger which it was bound to avert at the present time quite as much as it was in the past—he meant the subjugation of Spain to France; or, what was scarcely less pregnant with danger to British interests, the ascendancy of France in the councils of Spain by the military occupation of her territory and resources.

If, however, it was necessary that the noble duke should go to Verona with such instructions as he had received, and that this country should act upon a principle of strict non-interference in the affairs of Spain, he thought that the principle should, on every occasion, have been prominently brought forward; that it should never have been alluded to in a mere cursory manner; and, above all, that the avowal of it should have never been accompanied, as it had too often been accompanied, by a profusion of apologies, which almost seemed to justify the interference which was deprecated. "But," said the noble duke, "I did all that I could do; I exerted myself to the best of my abilities; and I was not sent to congress to insult the illustrious sovereigns who composed it." He (earl Grey) should be the last man to propose to insult those illustrious personages; but, the measure which, in his opinion, ought to have been adopted in treating with them, was a friendly but at the same time a firm remonstrance. He had before stated, that in the course of the negotiations that principle of non-interference, in favour of which ministers declaimed so loudly in parliament, was not distinctly acted upon at Verona. He complained first of all, that throughout the negotiations, in every instance from first to last, the British cabinet had turned a favourable ear to the complaints of France, which was the stronger, and a deaf ear to Spain, which was the attacked and weaker party. He would apply that remark to the manner in which the noble duke had spoken of the French Army of Observation. "Could any man," said the noble duke, "dispute the right of the French government to place such an army on its frontiers, when a civil war was raging along those frontiers, and repeated inroads were made by the contending parties into the French territory?" To that he would reply, that the right claimed depended upon circumstances. If a civil war had raged on the frontier, which had not been instigated by France, and which threatened the integrity of her frontier, the safety of her inhabitants, and the welfare of her institutions, in that case he would confess that the maintenance of an Army of Observation was nothing more than a wise and just precaution. But, reverse the case, suppose that this civil war were not a rebellion that threatened France with danger, but a rebellion that she had excited —that this Army of Observation was not on the frontier to prevent danger accruing to her from the inroads of insurrection, but to nourish, foment, and protect insurrection: then, he said, that an army of observation would not meet with his approval, but that he should reprobate it as one of the most disgraceful means of annoyance which one country could call into action against another. Did the noble lord accuse him of misrepresentation in making this statement? So recently as July last, the king of France had stated to his parliament, that it was only malevolence and calumny that could attribute any sinister object to the maintenance of the *cordon sanitaire* in the Pyrenees, and had pledged himself, that its only object in remaining there was, to prevent, not moral, but epidemic contagion from entering within the limits of his territories. He would now ask the noble duke, whether he did not know, that at the very moment the king of France so addressed his parliament, he was making preparations to excite rebellion and insurrection in Spain?—whether he did not know, that as soon as the Army of Observation was settled in its cantonments, the regency of Urgel was placed in direct communication with the French commander—that whenever its bands were defeated, they sought refuge within the French lines—that they returned from thence furnished with money and arms to commit fresh mischief in their own country—that its agent was countenanced in Paris by the French ministry, received with the utmost respect by all the members of it at their parties of ceremony, and was actually permitted under the sanction of the French government to contract for a loan, of which the proceeds were to be expended in overturning the government of the cortes? Did the noble duke know these facts, or did he not? If he did know them, what were their lordships to think of his conduct? If he did not, what were they to think of the ignorance in which he had been kept of such information? For it was notorious that the noble earl opposite (Liverpool) had recently admitted, that the government had received such information; that though they had no positive proof of it, his majesty's minister at Madrid had stated his firm belief of the French being busily employed in fomenting disturbances in Spain; adding, that the time at which they were the most busily employed was about the 7th of July—that day on which it was pleaded by the members of the holy alliance, that blood was spilt in the palace of the king—blood spilt in consequence of the instigation of that very government which now urged it as a justification of the atrocities which it was about to perpetrate! Was it possible to hear of such things, and not feel one's blood boil with indignation? Was it strict impartiality to justify the policy of maintaining the Army of Observation on the Pyrenees, and to call upon Spain to give explanations, not only of her past conduct, but of her future intentions? Was it strict impartiality to call for no explanation from France, which was evidently planning an attack upon Spain, and yet to demand explanation with every thing short of actual menace, from Spain —Spain, which a document recently laid on the table proved beyond all power of contradiction, never to have entertained the slightest intention of either injuring or attacking France?

The noble duke had asked—"Could any man disapprove of the stationing the Army of Observation in the Pyrenees?" He would answer that question by putting another: suppose, that Ireland were now in a state of civil war—suppose one

French fleet to be at Brest and another at Ferrol or Corunna—suppose, also, that the individuals connected with the disturbances in Ireland were received there by the authorities with open arms, and despatched from thence, whenever occasion offered, with money and stores, for the use of the insurgents in Ireland—would the noble duke think that the honour and safety of England were not affected by such conduct, and would he defend the policy of allowing France to maintain in her harbours a naval armament of observation, ready to invade our shores, as soon as it could espy a favourable opportunity? He said, that these acts—or rather these crimes—on the part of the French government towards Spain, were too notorious to be denied. Nay, M. Villèle, on a recent occasion, instead of denying, had absolutely demanded credit of the French Chambers for having committed them: for he had stated in the Chamber of Deputies, in defending himself against an accusation, that he had not done enough for the Army of the Faith, that he had done every thing it was possible for him to do, under the peculiar circumstances in which he had been placed; that he had provided the insurgents with money and arms to a very large amount; and that until an army was on foot, it was quite impossible for him to do any thing more.

The French army being, then, on the Pyrennees, not to guard France from epidemic contagion, not to protect her territory from hostile aggression, but to foment insurrections, and to kindle the flames of civil war in the heart of Spain, the continuance of it in such a position was an offence against Spain, of which she had a right to complain, and of which she was entitled to demand the removal. The British cabinet knew of those facts, and in knowing them, and not instructing the British negotiator to call for an explanation of them, it had absolutely given its countenance to the unjust aggressions of France. Resting upon a circumstance so notorious, he must charge his majesty's ministers with being all along actuated by a desire to favour the injustice of France, and to refuse even common justice to the cause of Spain. But the charge against them did not rest there. The noble duke had taken upon himself to declare, that his conduct had been much misrepresented with regard to the memorandum, in which he had undertaken to induce the Spaniards to change a part of their constitution. The noble duke had said, that the Spanish constitution was full of imperfections—that changes were necessary to its improvement—and that he was the best friend to Spain in persuading her to make them, in order to avoid civil war and foreign invasion. But, at the very moment that the noble duke was using that language, he was offering counsel to Spain which she could not accept, without putting the seal upon her own dishonour. And why so? Because France had urged those changes upon Spain, with the threat of war in case they were not effected. What, in such an emergency, was the conduct of the British cabinet? Why, it went to Spain, which disclaimed all foreign interference in her concerns, and said, "Consent to the changes which France demands; and, as a salvo for your permitting her to retire from the situation in which her iniquity has placed her, every thing shall be comfortably settled." But, in recommending this concession, the British cabinet did not know, even if it were made, whether every thing would be settled as comfortably as it promised. He had looked for such a promise on the part of France in the papers submitted to the House; but no such promise could he anywhere discover. Nay, M. de Chateaubriand was even stated to have said, that though every thing were conceded, military operations must still go on. Concession, therefore, in such a case, he considered to be entirely out of the question; he held it to be utterly inconsistent with honour, and to be such as no British minister ought to recommend. He maintained, that the British cabinet ought never to have made any offer of its mediation between France and Spain. Mediation was intended to bring two parties together, in hopes of producing agreement between them, by recommending to each mutual concession. But, in this case, no mutual concession could be made. For, what was the proposition of France?—that Spain should alter her constitution. Supposing the alteration to have been of the most trivial nature—and it was admitted that a very trivial alteration would latterly have satisfied France—still Spain could not and ought not to make it; since, in making it, she would concede the whole point in dispute, and would admit the principle, that France had a right to demand from her such a change. On the other hand, to demand from France that she should recede from her atrocious pretensions, as honour and justice both demanded that she should, would be to demand of her that which it was not very likely she would grant. He asserted that this offer of mediation was absolutely nugatory. M. de Chateaubriand, who had been well characterized elsewhere as the maker of bad books and worse speeches, and to which he would add, the compounder of still worse state papers, knew it to be so. Concessions, too, were demanded by us from Spain, at a time when they could only be made by a sacrifice of honour.

Such, then, were the complaints which he made of the conduct of a negotiation which had lowered the character of this country in the eyes of Europe, and reduced her to a state of greater humiliation than at any former period of her history. Throughout his political life he had seldom been the advocate of war; though, when the interests and honour of the country were at stake, he had never been backward to meet the most formidable dangers. The dangers at the present moment he did not undervalue. Many of the important interests of the country were beginning to revive; although he could not concur in the opinion that night expressed, that the agriculturists were in a state of progressive improvement. But, the principle of attention to perils must have its limitation, and, however great, those perils must sometimes be encountered. What, then, he would ask, was the present situation of this country? First, what was the principle asserted by the French government? A principle most odious, most unjust—that of dictating to another, and an independent, nation, a change in its constitution. He forebore at present to inquire what was that constitution—by whom it had been framed—by whom it had been adopted—by whom it had been acknowledged. He forbore to inquire even what debt of gratitude the Bourbons themselves owed to the cortes of Spain, and how much they were indebted to the noble exertions of Spaniards for the very throne to which they had been restored. No man valued more highly than himself the British constitution, but he knew that it had its defects; and one of them was, that the House of Commons required much reformation. But, although he was a zealous and determined advocate for reform, if that reform were insisted upon by a foreign power—from that very moment this great defect would become sacred in his eyes, and he would defend it with the last drop of his blood against the insulting dictation of the foreigner. He need not remind noble lords how much had been said of the independent rights of Spain, when she was invaded by Buonaparte; but he would ask, whether this odious policy, this unjust interference, was less dangerous now than at the period to which he alluded? The noble earl admitted, the principle claimed by France to be unjust, but he contended that justice was not enough to warrant a war. He (earl Grey) admitted it—a war must not only be just, but distinct interests must call for it. If two of the most remote countries in the world had been thus circumstanced, the noble earl might have said, "the principle is unjust, but our interests are not immediately involved." Here, however, the danger was at our very doors. The invading power was France, and the power invaded was Spain. And, would the noble earl contend, that the best interests of Great Britain were not at stake—that we ought to be content to preserve a mere neutrality, and stand tamely by while Spain was overrun? There might be noble lords whose hatred of freedom was so great that they would rather see France triumph than Spain victorious. Something like that sentiment he had heard that night from the cross-bench, with an indignation that must be partaken in by every honest-hearted Englishman. Notwithstanding all the boasts of this country, of her influence in Europe, and of the high station she occupied from her victories during the last war, the noble earl opposite was content that it should be now said, that during his administration she had been reduced to such a state of pitiable weakness, of utter helplessness, that she could not only no longer maintain the principles for which our ancestors had bled and suffered, but that she dared not even assert them before those who owed their thrones to her exertions. War might be the alternative; but he denied that it was the only actual alternative. He would not have used empty menaces; but, with dignity and firmness, he would have held a plain, manly, and decisive language. He would have said to France, "Your principle is unjust: your success must be most injurious to this country; and Great Britain not only refuses to acquiesce in your principle, but, if the necessity arises, must resist it by the alternative of war." Had he now given a distinct answer to the noble duke? Did the noble duke now think there was any concealment of the views he entertained? In his opinion, war was not the necessary alternative, nor would it have been the inevitable result. It was not given to human faculties to look into the womb of time, and discover what seed would grow and what would not; but it was his sincere belief, that if Great Britain had used the language which she ought to have employed, a secure, permanent, and honourable peace would have been the result—a peace settled on the best and firmest foundation—the character of this country for moderation and justice. It was possible, however, that the issue might have been war. He was not disposed to blink any part of the question; and he admitted, that war at the present moment must have been attended with many evils. If, nevertheless, peace had been the consequence of our exertions, its benefits would have been, an intimate connection with Spain, the confidence and respect of Europe, and the preservation of that character which this country had been gradually losing ever since the final overthrow of Napoleon. What scenes of prosperity would have opened upon us! Spain would have been established in freedom and happiness, with such changes in her constitution as reason and experience might warrant, without the supercilious dictation of a perfidious enemy. United with Spain, Great Britain would have possessed the best security against the ambition and power of France, and by her friendly counsel she might have produced a reconciliation between Spain and her colonies on the basis of their independence. What advantages to England—to Spain—to the world! But, if war were unhappily, and he would say unexpectedly, the result, we should at least engage in it with the highest honour, with the cordial affection of Spain, with the general good-will and wishes of Europe; nay, even of the people of France herself. What, on the other hand, had been the effect of the present measures of the British government? Was peace now secure? Or, if war ensued after all our fruitless negotiations, was it likely to be attended with less danger than if it had been undertaken at an earlier and more favorable period? On a former night, the noble earl had asserted, that hostility on our part would have made the war against Spain popular in France. But, if a war on our part was just, ought we to stop to inquire its effect upon the enemy? He, however, firmly believed, that if our principles had been clearly stated, their justice and moderation must have been felt by the people of France, and it would have been seen that we were fighting strictly in self-defence. He, indeed, would have counselled no other than a maritime war. The equipment of an army to act in Portugal or Spain he should have opposed: and it was strange to him to hear it said, that a war thus undertaken, which swept the commerce of France at once from the ocean and destroyed her colonies, would have met with a popular resistance. He would ask again whether, after all the reluctance shown to assert the plainest principle of right—after being content to be the tame spectators of the aggressions of France—peace had been secured to this country? Noble lords on the other side had endeavoured to depreciate the dangers to result from the success of France. The House was told, that France and Spain were no longer what they had been; and the noble president of the council had gone the extraordinary length of asserting, that the consequence of the success of France would not be the military occupation of Spain. Surely it was needless to refute such a statement. France was marching to subdue Spain, to restore the king, to abolish the constitution—and, could this be effected without producing general ill-will? Discontents would exist. The king must not only be seated, but supported on his throne. He must be propped by the bayonets of France, as the king of Naples had been by those of Austria. Such must be the inevitable result of the success of France; but, that she may not be successful, may God, of his infinite mercy, grant! [Hear, hear.]

But it was said, that the danger to this country was not so great now as it was formerly—that the balance of power, once so important, was now nothing, anything, everything, but perfectly inapplicable to this question. Spain, it seemed, had lost her colonies. True; but she possessed a great extent of coast, and the means of restoring her navy; and, when once France had the custody of Spain, she would be backed by the holy alliance.

Austria would aid her; Prussia would lend her troops; and Russia would not be backward to conspire with the rest against the liberties of mankind. Success and its consequences, with the military character of the French, and their love of glory, might render the war popular; and Spain might reasonably feel irritated against Great Britain for the loss of those liberties which she might so easily have enabled her to preserve. What dangers might not then surround us? Let it be remembered that the emperor of Russia had, only the other day, boasted that God had been pleased to place him at the head of 800,000 men to give peace to Europe. Peace! What peace? The peace of the grave—the silence of the tomb! And, did their lordships think that these were imaginary dangers? When the "monarchical principle" was once established—when liberty was driven from the continent—was it to be supposed that she would remain unassailed in this her last asylum? Would the despots of Europe tolerate the bitter reproaches of the free press of England, or the unshackled discussions of her independent parliament? The annexation of Spain to France, in every point of view, was one of the greatest dangers which this country had ever encountered—even greater than those threatened by the military dominion which Buonaparte had so nearly established over the prostrate world. Suppose the war in Spain were protracted, and the event doubtful—suppose Russia were called upon to march her hordes to the support of France, were his majesty's ministers prepared to be indifferent spectators? Suppose the war took another turn, and that Spain succeeded in exciting in France a revolutionary spirit—suppose the dynasty which we had squandered so much blood and treasure to restore were threatened with a second expulsion—in that case a noble duke had said that this country must go to war. He trusted the noble duke was singular in this opinion. He trusted, that ministers had already given France to understand, that, if the danger should recoil upon herself, this country was not bound by any engagement to support the Bourbons—that they had forfeited all claim to our protection. But, if the allied powers should advance to settle by their bayonets the affairs of what the Russian despot was pleased to call, "the western provinces of Europe," did any man believe it possible that Great Britain could remain at peace? If the war should continue for a year, or even for six months, did history, did past experience, did the present state of Europe, warrant the expectation that it would be possible for us to preserve peace? War might then arrive at a most unwelcome moment—at a moment when difficulties had increased, and dangers accumulated. He had occupied much more of their lordships' time than he had intended; but he could not remain silent when an opportunity was afforded of relieving himself from the imputation that must necessarily rest upon every man who had taken an active part in public life, and who did not come forward to resist to the utmost, and to condemn in the strongest possible terms, this unjust and most wanton aggression. He might advert to many other points, were he not ashamed of occupying further the time of the House; but he had said enough to relieve himself from all participation in the foulest disgrace that had ever befallen this country. He had never given a more cordial, zealous, and confident vote in the course of his political life, than that which he should give in favour of the present motion.

The Earl of *Liverpool* said, he was willing to allow, that in the course of what had fallen from the noble earl, he had given their lordships this advantage—he had spoken more distinctly than the other noble lords who had preceded him upon that side of the question, as to the course which they thought his majesty's government ought to have pursued. He never was so much surprised as when he came down to the House that night, and found the noble baron who introduced the question adopting such a course, and proposing such an address as the one which was now in the hands of their Speaker to be laid from the woolsack. To him that address was perfectly unintelligible. He knew not what it meant. It was impossible to say whether it was for peace or war. From what had passed on former evenings, he had, indeed, understood that the noble baron was for war; but now the noble baron was afraid to declare it in his proposed address. The whole tendency and meaning of the noble earl's speech who spoke last, was this, "You ought to have gone to war rather than suffer France to invade Spain: this ought to have been the doctrine held at Verona: this language ought to have been firmly and decisively spoken to France." This was the only ground upon which the conduct of government could be impugned; and this it was, that the noble baron ought to have embodied in his address. But instead of that open and manly course, for the sake of catching a few stray votes, he had framed an address, which meant any thing or nothing, and had shirked and blinked the only question which was really at issue. The instructions given to his noble friend, the duke of Wellington, were, that "to any interference with Spain, come what may, his majesty would not be a party." This was the result of the deliberations of the cabinet upon what he readily admitted was one of the greatest questions upon which a government could be called upon to decide. They decided for neutrality; and upon that decision all their subsequent conduct hung. That was the key to all their acts throughout the negotiations which ensued; and upon this point arose the misconceptions of those who dissented from the propriety of that conduct. They said, "Oh! you're for neutrality; but yet you might act as if you intended war." Now, whether ministers had determined rightly or not in deciding for neutrality, was rather a question for after-inquiry; but having adopted neutrality, he contended that the only true course was, to use all the means in their power to avert war. Was peace, then, more likely to be obtained by a high and haughty tone towards other powers, or by that frank declaration and reference to the true principles of the question which they had thought proper to make? His noble friend had said truly, that they had no occasion to put forward principles—that they had only to refer to them. The true principles for which they contended had already been put forward in 1820 and 1821. Upon one occasion they were advanced in opposition to different principles laid down by other powers. The note of lord Castlereagh, of 1821, was in answer to a circular previously issued by the allied governments. Throughout the recent negotiations they had expressed their opposition to the conduct of France, and consequently their approval of the conduct of Spain. They had all along declared their opinion upon the injustice of the conduct which France was pursuing, upon the falsehood of the principles she was acting upon, and upon the danger likely to result from her acts. It had, indeed, been confessed by the government of Spain herself, that we had done as much for her as she could expect us to do at Verona. Where, therefore, was the impropriety of recommending to her, as friends and supporters, a course which would be calculated to preserve the peace of the world, consisting of those alterations which she might think necessary in her constitution? To those who thought that his majesty's ministers ought to have resorted to menaces upon the chance of preventing war, he would say, that this was not a case in which such a course could have had a beneficial result. He could understand the advantage of using a menace with such a view, when the question in dispute had a distinct and single object. If, in the case of France seizing Minorca, we were to interfere and say, that unless it were given up to Spain, we would declare war—then he could understand that, upon the chance of her acceding to our request, war might be avoided. But if the language at Verona had been, "If you invade Spain we will declare war," no such distinct result could have been obtained: because, France might have conceded the point of invasion, but still have kept up her Army of Observation, which we had no right to oppose; and thus all the evils would have remained, with perhaps increased irritation and hostile feeling between the two countries; and the only alteration that could have been effected was, the delay of actual hostilities for a few weeks or months. This was not, then, a case where a menace could have been used with even a chance of advantage. The establishment of an Army of Observation might have been abused, and might have been made instrumental to improper objects; yet, when Spain was the theatre of a civil war—and this the noble earl had entirely left out of view in the whole of his speech—the maintenance of such an army might be justifiable, and in some cases even necessary, for the protection of the people of France; particularly if accompanied by a frank avowal to the Spanish government of the intentions of the French. But this part of the subject he was quite content to rest upon the papers before the House. The real question for their lordships to decide was, whether the policy of this government had been right or wrong in not going to war with France—whether, in short, it ought to have been war or neutrality?—But, before he proceeded to that part of the subject, there were some general topics to which the noble earl had resorted, that required particular notice. The noble earl had said, that he (lord Liverpool) had formerly been prodigal of the military exertions of the country. Now, he too had a memory upon that subject. In the year 1808, he considered the situation of Europe to have been so changed, as to require the greatest possible military efforts on the part of this country. He was then in his majesty's councils, and he had thought it right to recommend that Spain and Portugal should be made the theatre of war: and he well remembered, that the noble earl opposite was at that time opposed to any warfare in Spain, and looked upon all the endeavours of Great Britain as futile and ineffectual, prophesying that in a few months not a single British soldier would be left in the Peninsula.

Earl *Grey* denied that he had used any such words.

The Earl of *Liverpool* observed, that he did not mean to say, that these were the precise words of the noble earl; but he contended that such was the sense of what the noble earl had then said. He perfectly well remembered that, when, in answer to some questions put to him respecting the state of our armies in the Peninsula, he stated his opinion as to the success of their exertions, the noble earl opposite had desired that those words should be remembered. It was now objected to, that this country should have recommended any alteration in the Spanish constitution under a foreign menace. But, was their no difference between the dictation of a hostile power and the suggestion of a friendly one? Did they ask the Spanish government to concede to their enemies that which they thought it would be wrong to change, or even that which they considered doubtful? No; but only such parts of their constitution as they all agreed were impracticable. And here again he must appeal to his memory as to the former opinions of the noble earl. He remembered, that at a time when this country was engaged in a war of terrible magnitude, and, he believed, with a mutiny raging in her fleet at the same moment, the noble earl and his friends seceded from their duty in parliament, because they could not effect the most important alteration that ever was proposed to be made in the British constitution, under the name of a reform in parliament.

There was one point which the noble earl had entirely omitted to notice, although it was a point of great importance; namely, the difference between the situation of Spain in 1808 and at the present moment. At the former period it was a united, at present it was a divided country. It was not from the Army of Observation alone that the Spanish government had cause for apprehension. Spain was now equally divided between those who were, and those who were not, in favour of the constitution. He would not undertake to say which formed the majority. He did not know where the balance was to be struck. Therefore, an important question presented itself; namely, whether they were to stand forward to protect the constitution of Spain, against which a part of the Spanish people were arrayed, or whether they were called on to act, in consequence of the mode in which that constitution had been externally interfered with? The noble earl had said, that he was for peace. So was he (lord Liverpool), and so he thought every man should be. But then came the question—"Will you remain long at peace?" He would say, that a great country like this should always be prepared for war. He was ready to admit, that when war arose in any part of Europe, particularly in countries so contiguous to them as France and Spain, such contingencies might happen as rendered it absolutely necessary that England should be prepared for war. But, if he were to look at this question with reference to the interests of the country—and what other view ought he to take of it?—he would inquire, before he adopted a positive evil, what were the chances of war occurring? It was on a question of that sort, that the propriety of going to war must be discussed. He knew very well that a small present danger might be incurred for the purpose of escaping a greater evil at a future period. That had always been considered sound policy. But, the question here was—"What are the chances of war?" The noble earl seemed to think that France would acquire dominion over Spain as easily as he could move from one part of that House to another. This was not a correct view of the case; and before he came to any such conclusion, he would ask, "What are the chances of the war being carried on successfully?" What would France get by her endeavour to make a conquest of Spain? He would answer—absolutely nothing, unless the whole country rose in their favour—a circumstance which no person could contemplate; but which, if it happened, must entirely alter the whole question. The noble earl did not seem to reflect on the situation of Spain. That country was nearly as large as France—abounding in military positions—and, from its mountainous nature, the strongest country perhaps in Europe. It was different in every respect from Poland, to which the noble lord had adverted. The virtues, and even what might be deemed the defects, of the Spanish character, gave to the people greater means of defence and resistance, than could be found in any other country in Europe. What, then, was the prospect of France obtaining that sort of forcible dominion over Spain, which would not be ruinous, but might be prejudicial to this country? He had stated, on the first day of the session, that, disapproving this war between France and Spain, he looked at it with more apprehension as it regarded France, than as it respected Spain. He considered the success of France as most unlikely; and he looked, with great apprehension, to the effects which the contest would produce on France, if her arms did not succeed. It was said, that France would take the chance of assuming dominion in Spain; and then came the question—was there any reason to suppose that that dominion could possibly continue? They were told, that the French army was to pay for all its provisions, and that it was to be provided with extensive supplies from France. Now, he must say, that if France chose to adhere to that policy—and he knew of no other which she could pursue—it would be completely ruinous, and she would soon be placed in such a situation as would put it out of her power to molest any other state. When, in 1809 and 1810, the war in the Peninsula was going on, he had said to the noble earl opposite, and to those who desponded—"Look to the extent of Spain—look to her resources. The same thing which occurred to us with respect to our North American colonies, will now take place in Spain. France may get possession of some positions; but she will not be able to hold a single point, beyond what is occupied by her armies." That opinion had been proved to have been a correct one; and he thought the same thing was likely to turn out in the present case; with this difference, which should never be lost sight of—that in 1809 and 1810, Spain was a united country, but that it was now a divided country. Therefore, the question really came to this—not what the conquest would be worth, if it were gained, but what was the probability of its being gained? That point must be first decided.—The next question was, whether it would not be better for this country to remain at peace, taking the chance of the failure of the French force, rather than rashly to encounter the evils and inconveniences of war? He was puzzled at the course of policy advocated by the noble earl. He could understand those who said—"You formerly took a part in the war of the Peninsula, and you came out of it gloriously, by driving the French from that country. Having done so, will you now suffer France to exercise a dominion over that people?" He thought a very powerful appeal might be made to the judgment, as well as the feeling, of the British people, on that score. But, let not parliament trifle with the question. If it was the policy of this country to assist Spain, it must be done with all the means in her might and power. We must send an army there. A naval force would not serve our views in the least. We might sweep the sea of French ships; we might subjugate their colonies if we pleased; but beyond that we could do nothing. After the first three weeks of a naval war, the French would laugh at all we could possibly do. If this country did not send his noble friend, or some individual at the head of a well-appointed army, she would do nothing for Spain. By carrying on a mere naval war, we should entail a large expense on the country, without obtaining any advantage in return.

And here, again, they came to the division of the Spanish people. Spain was now a divided country; and therefore if they interfered, they would have not merely to protect Spain from the arms of France, but they would have to assist one-half of the Spanish people against the other. If they gave assistance to Spain, they must make up their minds to enter into a military contest. And, for what should they go to war?—for the purpose of preventing France from conquering Spain. The former country would send her 100 or her 200,000 soldiers to effect that object. And, what course was recommended for England? She, it seemed, was not to send a soldier to the Peninsula, but her fleets were to seize the merchant vessels of France! That was to be the extent of her operations. But if they engaged in war with France, it would be a contest of that nature in which such an intervention as that which he had described could have no effect. The question then was, what course ought England to pursue? The government had decided for a neutral course. Their judgment went shortly to these points—"Are you prepared, looking to all the contingencies, to enter into this war now, or to take the chance of events by which war may be prevented; or are you ready to make a war effectual to its objects, instead of adopting that course which would not accomplish them?"

He would now say a few words on a topic which had been adverted to by several noble lords in the course of the debate; namely, the general policy of the country. It had been said, that the question was, "whether we should walk in the train of despotism, or appear as the protectors of constitutional liberty?" Now, the policy for this country to pursue, was stated in the circular of the late marquis of Londonderry of May 1820. The principle to which it referred, was that of democracy on one side, and of arbitrary power on the other. That subject had never before been brought to such a point as it was in his noble friend's answer to the unfortunate circular of Austria, Russia, and Prussia. It stated very distinctly on what principle this government intended to act. He had then declared, and he felt it necessary, in the present crisis of the world, again to do so, that, looking to the state of Europe—looking to the bearings of what were called liberal principles in different states—marking the extremes to which they had unfortunately been carried in Spain—and, in consequence of which extremes, any person who desired the amelioration of those constitutions, so far from being an enemy to liberty, was really a friend to it—he contended, looking to those principles, and to the principles of the British constitution, which was a compromise between the principle of democracy and that of monarchy, that, in this conflict of opinion, the middle or neutral course was the proper policy for this country to pursue. He felt the danger which would accrue to this country from lending itself to either side on this question. They might think that justice lay on the one side or on the other, according to the particular case that was laid before them; but, without considering what the interest of this country might require, it did appear to him, that the wisest and safest policy was, to keep free from either extreme. Happy in the enjoyment of their own constitution, they ought to make the world feel that they duly appreciated its benefits. A middle course was the proper one for them to pursue. They ought not to act as the abettors of despotism on the one hand, nor the supporters of wild and impracticable theories on the other.—There was one very serious consideration connected with this subject; namely, what might be the effect of our taking a part in this contest, with reference to other cases which might grow out of it? With respect to the foreign policy of this country, they ought, when deciding upon that point, to inquire what was their own interest? The question was, whether it was or was not for the interest of this country to go to war on account of Spain? He believed that question, if put thus shortly, would be answered in the negative by ninety nine out of every hundred individuals in this country. What might grow out of the contest between France and Spain no man could say. It was the duty of this country to be prepared for any thing that might occur; but at present the whole question was one of chances, and the chance of preserving peace was at least equal to the chance of going to war.

The Marquis of *Lansdown* said, he would not have addressed the House on the present occasion, had it not been for the concluding sentiments of the speech of the noble earl; sentiments which, he would contend, were calculated to place this question on a ground perfectly fallacious, wholly remote from that on which it had been laid before the House by his noble friend, and contrary to the statements contained in the papers on their table. He alluded to the concluding remarks of the noble earl as to the general state of Europe. He saw, with as much concern as the noble earl could possibly do, that opinions were advanced, in various parts of Europe, which, if carried to their full extent, would create confusion and disorder. But, when the noble earl stated that as a reason for adopting a system of avowed and determined neutrality on the part of this country, he must remind the noble earl, that this was a question between the dependence and independence of nations — that it was a question between the rule and dominion of force, and the general rights of mankind—that it was a question, whether no check should be given to an attempt by force, and in contradiction to all international law, to insult and tyrannize over the whole of Europe? He would ask the noble earl, who seemed to think that this was a struggle between democracy and monarchy, whether he had not formerly stated the very reverse? Was the noble earl prepared to contend, that there was any the least intention on the part of Spain to extend to other countries, by force of arms, the democratic portion of the Spanish constitution? The noble earl could not, he was confident, support such an argument. He would then ask the noble earl, whether there was not a manifest disposition, on the part of the powers of Europe, to force, by dint of arms, their despotic institutions on the people of Spain? Now, if that was the case, how could the noble earl, in common fairness, say, that this was a contention between democracy and monarchy? Was not this contest commenced by an interference with the internal affairs of a state which found it necessary to new-model its institutions? Was it not an effort to break down the barriers which the national law of Europe interposed between different states? Was it not an attempt to set up a military despotism in the very heart of Europe, acting on the principle of naked force, and refusing to admit the inalienable right of nations to be governed by monarchy, or by any other form of government which best accorded with their habits and manners? This was the first question which their lordships and the country had to decide, and it was one which, if they were not prepared to determine it now, they would assuredly be called upon to determine hereafter. For, let no man lay the flattering unction to his soul—however ministers might remain in mild and calm acquiescence on this occasion — that, looking to the principles which were at work in Europe—the principles of tyranny and of despotism—this country could hope to escape for any length of time. The question which this country, sooner or later, would be called upon to determine was, whether that principle, the existence of which the late secretary for foreign affairs began to suspect in 1820—that principle which was brought into practice by the interference of military states, in the case of Naples, and which, having unfortunately been sanctioned by this country, was now brought into more active operation with respect to the affairs of Spain—should be suffered to extend over all Europe, unchecked and uncontrolled? Could any man hope, if that principle were successful in the case of Spain, that it would not be tried against ourselves—that it would not pervade the whole sphere of European policy? If ever there was a question which, in every point of view, called for their serious notice, it was that question. It had constantly been the system of this country, that the military states of Europe should not be united on a principle of policy in which England could not partake. But, the great military powers of Europe were not only now united on a principle in which England could not partake, but on one which was directly subversive of her whole system of policy, and at variance with the spirit of the British constitution.—He did not mean to go into a detailed consideration of the various topics which had been introduced in the course of the discussion. That this country had been unnecessarily and most unfortunately brought into that situation, in which this alarming question of European policy must be tried and determined, was the charge preferred that night against his majesty's ministers; who, with all the strength and resources of the country, with all that acquired honour, glory, independence, pre-eminence, authority, reputation, and what not, of which he had heard for so many years—had proved themselves totally unable to avert the evils which threatened Europe. From the papers on the table, and from the speeches of noble lords opposite, he had collected the defence of ministers. It appeared that from March, 1820, to October, 1822, they were in ignorance of all the transactions between France and Spain; that, in October, 1822, when the first symptoms of French policy were perceived, they were carried from a state of ignorance to a state of misapprehension; and that they then received those extraordinary questions which had been the subject of discussion that evening. The questions might have puzzled new or ordinary negotiators: but, if they were viewed with reference to past transactions, or to the suspicions which had been entertained by the marquis of Londonderry as to the intentions of France towards Spain, no person could have come to any other conclusion, but that there did exist a covert and indirect intention on the part of France to invade Spain. From a state of ignorance ministers had come to a state of misapprehension: and, when that misapprehension was finally removed, there succeeded a most erroneous expectation, that France would not act on the principle she had then stated. For two years, ministers had not interfered, because they were ignorant of the transactions between France and Spain; they had then refused to protest against the conduct of France, because, as the noble duke had stated that night, he did not understand the questions — and, ultimately, they had placed a most unwarrantable confidence in the French government. He had heard with the greatest astonishment from the noble president of the council, the expression of an expectation that France would not hereafter meddle with Portugal, "for the best of all reasons—because it was essential to the interests of France not to do so." But, if the noble earl gave credit to the statements of the duke of Wellington, and to the details which were to be found in the papers on their table, he would ask him, what had the French government been doing for the last two or three months, but acting against their real interest? And why, he wished to know, if they were victorious in Spain, should they refrain from attacking Portugal? Having given way to the ruinous expectation, that France would not carry her threats into execution against Spain, and that expectation having been completely fallacious, at length the period arrived, when the whole truth could no longer be concealed; when the subtile purposes of the French appeared without disguise; and all that could now be stated was, that, with all our acquired pre-eminence in Europe, we could do nothing to prevent that most unjust, most alarming, and most disastrous enterprise from being carried into effect. Such was the glorious termination of those negotiations, which the noble earl and the noble duke declared to be worthy of public approbation, and which they were astonished had not met with the unanimous, cordial, and warm approbation of the House! On these grounds, he must concur in that degree of censure which was bestowed on ministers by the motion of his noble friend. He complained that the negotiations had been conducted upon limited and vulgar views. On former occasions—that of the peace of Westphalia in particular—treaties were settled upon solid principles, with regard to the feelings and opinions of the people of the different nations therein represented; and the peace having a solid foundation, it lasted. The opposite course was taken in the treaty of Vienna. After twenty years of war, carried on against the principles of foreign aggression, agreements were entered into which seemed to have no distinctive principle, but that of severing people from their sovereigns. The interests and feelings of communities were forgotten. Nothing was done to conciliate their expectations, or to reward their efforts. And now they were alarmed at seeing the spirit of liberty break forth in a manner —perhaps not discreet, perhaps too violent for the satisfaction of sober and reflecting minds — but still in a manner which all reasonable minds must have considered inevitable, after the treatment which had been endured. It was upon these principles, and from the desire of seeing the rights of nations respected, and the people of those nations enjoy their own forms of government without the interference of foreign bayonets—it was from the conviction, that the noble earl, not being bound to maintain the question of democracy as such, nor of monarchy as such, in the recent negotiations, had failed in maintaining the internal rights of free states, that he felt himself bound to support the motion of his noble friend.

Lord *Ellenborough* shortly replied. He said, he must still maintain, upon the showing of the noble earl opposite, that the case which had arisen entitled the noble duke, according to the instructions which had been given by Mr. Secretary Canning, to interpose with more effect in the proceedings of the French government. As to the assertion of the noble duke on the cross-bench, with respect to the principles of the Spanish constitution, all that could be answered was, that they were founded on the principle of Runnymede—the principle of compelling sovereigns who wished to rule despotically, to acknowledge the rights and liberties of their subjects, and to admit institutions which would secure the enjoyment of them.

The House divided upon the Amendment: Contents, present 96: Proxies, 46—142: Not Contents, 29. Proxies, 19—48. Majority against Lord Ellenborough's motion, 94.

List of the Minority.

Present.

DUKES.
Sussex
Somerset
Grafton
Devonshire
Portland
Leinster
Argyle
MARQUISSES.
Lansdown
Bute
EARLS.
Derby
Essex
Jersey
Tankerville
Cowper
Fitzwilliam
Fortescue
Gosford
Grey
Darnley
BARONS.
Dacre
King
Holland
Foley
Suffield
Auckland
Erskine
Breadalbane
Lynedoch
Ellenborough

Proxies.

Duke of Bedford
Marquis of Downshire
EARLS.
Albemarle
Waldegrave
Darlington
Charlemont
Spencer
Grosvenor
Rosslyn
Minto
Bessborough
Viscount Clifden
BARONS.
Dundas
Yarborough
Cawdor
Crewe
Belhaven

HOUSE OF COMMONS.

Thursday, April 24.

NORFOLK PETITION FOR A REFORM OF PARLIAMENT, AND AN EQUITABLE ADJUSTMENT OF CONTRACTS.] Mr. Coke presented the following petition:

"To the honourable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

"The petition of the nobility, gentry, and others of the county of Norfolk, in county meeting assembled, this 3rd day of January, 1823,

"Most humbly sheweth,

"That your petitioners have always been ready to make any sacrifices which were necessary to the defence of their country, and to the safety and dignity of their sovereign's throne; but that they are now impelled by their well-known, indescribable and unmerited sufferings, to approach your honourable house with an humble prayer, that you will be pleased to adopt the best means of relieving them from those sufferings:

"That, in proceeding to suggest those means, which they do with the greatest respect and deference, your humble petitioners cannot disguise from themselves, and they will not disguise from your honourable House, that they entertain a fixed opinion, that this now unhappy country owes all its calamities to the predominance of certain particular families, who, since the passing of the Septennial act, have, by degrees, appropriated to themselves a large part of the property and revenue of the whole nation; and who have, at last, by taxes, debts and changes in the currency, involved themselves as well as the whole of this industrious community, in difficulties too great to be removed by the hand of time, or by any but the most vigorous measures of legislation:

"That, whether we look at the church, the army, the courts of law, the customs, the excise, the colonies, or the crown-lands, we see in each a channel of enormous emoluments to these particular families, for whose benefit and aggrandizement, more than for any thing else, the whole of these sources of riches would appear to exist. And that, therefore, though justice and necessity demand a reduction of the interest of the debt, and an equitable adjustment of all other contracts, your humble petitioners would deem such reduction an act of deep iniquity, and they deem such adjustment wholly impracticable, as long as these particular families enjoy those emoluments, and as long as they retain in the legislature that absolute sway which they have acquired through the means of the Septennial act, in conjunction with the notorious and scandalous abuses connected with the representation:

"That it is well known to your honourable House, that, for more than twenty years, the particular families received a large part of the above-mentioned emoluments out of the money borrowed from the fundholders; that, during that period, more than a million of money was taken out of the loans to be given to the church; and that, in fact, no inconsiderable part of the whole of the loans went into the pockets of these families; and, therefore, your petitioners will not suppose it possible for your honourable house to harbour an intention to take even a single shilling from the fundholders, so long as these families shall continue to receive those emoluments.

"Your petitioners, therefore, most

humbly pray, that your honourable House will be pleased to pass an act for causing an efficient reform in the Commons House of parliament, in order that such parliament may adopt the measures necessary to effect the following purposes:—1. An appropriation of a part of the public property, commonly called church-property, to the liquidation of the debt. 2. A reduction of the standing army, including staff, barracks and colleges, to a scale of expense as low as that of the army before the last war. 3. A total abolition of all sinecures, pensions, grants, and emoluments, not merited by public services. 4. A sale of the numerous public estates, commonly called crown lands, and an application of the money towards the liquidation of the debt. 5. An equitable adjustment with regard to the public debt, and also with regard to all debts and contracts between man and man.

" But, while your humble petitioners are aware, that, to reform the Commons House, and to effect the other purposes of justice and necessity, which they have here most respectfully pointed out, may require a lapse of months, they know, that your honourable House have the power, and they will not believe that you want the will, to afford them immediate protection against further ruin. They, therefore, seeing the pressing nature of their case, seeing the abject misery that hourly awaits them, pray, that your honourable House will be pleased, 1. To suspend, by law, for one year, all distraints for rent, and to cause distraints to be set aside where they have been begun. 2. To suspend all process for tithes, for the same period. 3. To suspend, for the same period, all processes arising out of mortgage, bond, annuity, or other contract affecting house or land. 4. To repeal the whole of the tax on malt, hops, leather, soap, and candles.

" These measures, so analogous to others, taken by your honourable House under circumstances far less imperious; these measures, so easily adopted, so free from the possibility of inflicting wrong, and, at the same time, so necessary to relieve your petitioners from the daily alarm in which they live, so necessary to afford them a hope of escaping from the pains and disgrace of the lowest pauperism and beggary; to believe that these measures, measures of bare protection from further wrong and ruin; to believe that these will be refused to your suffering petitioners, would be, to suppose the existence of that callousness of heart which your petitioners are far indeed from imputing to your honourable House.

" Having thus, with the most profound respect, submitted to your honourable House those which they deem the best means for relieving their distresses, your humble petitioners, though they are satisfied that evils so unusual and of such uncommon magnitude require remedies of a nature extensive and extraordinary, beg leave to assure your honourable House, that they venerate the constitution of their fathers, that they seek for no change in the form of the government, that they know how many ages of happiness and of glory their country enjoyed under a government of king, lords, and commons, that they fervently hope that this constitution may descend to their children; but that they are fully convinced, that, unless the present evils be speedily arrested and effectually cured, a convulsion must come, in which the whole of this ancient and venerable fabric will be crumbled into dust. And your petitioners will ever pray."

Mr. *M. A. Taylor* said, he had only one word to offer upon this petition, which was one of the most extraordinary and unprecedented nature. Though he had been for many years, and still was, a steady advocate for parliamentary reform, he was sure that there was scarcely one gentleman in that House who would not consider such a petition adverse, instead of being favourable to that great cause. He was therefore particularly sorry that such a petition should have been presented at all, and especially on that evening. Those who agreed in opinion with him, could only look upon the petition as a mockery and farce. A petition containing such a mass of absurdities such a tissue of false statements, and such a farrago of inconclusive reasoning could only be offered to the House by the firm and decided enemies of parliamentary reform. It went to a direct revolution in church and state; and on that account, though he had advocated the cause of reform from year to year, though he thought that the safety of the country would be certain if it were properly carried into effect, and that that safety would be at least problematical if it were not, he would still, if he thought the advocates of reform entertained opinions similar to those entertained in this petition, turn round, and say, " Away with any reform for me: I will in future oppose it as strenuously as I have hitherto supported it steadily and sincerely" [Hear].

Mr. *H. Gurney* said, that though this petition was, in form, the petition of the county of Norfolk, it was, in point of fact, the petition of a very celebrated individual, who had lately done them the honour of becoming a Norfolk freeholder—Mr. William Cobbett.—The hon. member stated, that happening to pass at the time, he had been present at the county meeting as a spectator; that when he entered the Hall, Mr. Cobbett appeared to be speaking with the most violent gesticulations, from one end of the hustings; a reverend gentleman was speaking apparently with equal energy from the other; and the under sheriff was reading from a large paper in the middle; whilst, from the unintermitted clamour of the circle that surrounded them, it appeared to him, that not one of them knew that the others were also holding forth.—The hon. member said, that he had been informed by a gentleman, who was on the hustings from the beginning, that about five hundred persons from the clubs in Norwich, had attended the meeting—about one hundred and fifty to support Mr. Cobbett, and about double the number to prevent his being heard. These opposing parties introduced themselves between the hustings and the body of freeholders in the hall—who were supposed to be five or six thousand—the most numerous and respectable assemblage he had ever witnessed; but who certainly heard not a syllable of the petition; who neither held up their hands for it, nor against it; but who, in fact, remained in total ignorance of any question having been put.—The hon. member said, that he saw Mr. Cobbett flourish a paper over his head, but had no conception, until he was told of it afterwards, that it was at that moment that his petition had been carried.

This, Mr. Gurney said, he was informed was effected by about five hundred hands near the hustings being held up in its favour, and about two hundred against it; the greater number of those who voted for it doing so by mistake, and one gentleman, a baronet, in his great zeal against Mr. Cobbett's petition, when the question was put in its favour, holding up both his hands. It was, however, a very good humoured meeting: every body was laughing. But though this was certainly not the petition of the county of Norfolk, Mr. Gurney said, he considered it peculiarly worthy the attention of the House. It came from one of the most acute and most powerful writers of the day—one who always catching the bearing of whatever he attacked, by the extreme clearness of his language and by his forcible manner of putting undeniable truths, mixing them up with the grossest exaggerations, and artfully keeping out of view every thing which might make against his argument,—had obtained an influence over a considerable mass of public opinion. Mr. Cobbett had long been proclaiming that he was the only individual in existence who could set this country free from its difficulties. He had hitherto abstained from informing us the manner in which he proposed to effect so desirable an end; and we now, at last, find by this petition, that, arriving at his conclusion—through statements of evils and abuses, none of them entirely to be denied—but piling exaggeration on exaggeration, and deducing fallacy from fallacy, Mr. Cobbett's grand remedy was, to put the laws in abeyance for one year, and during that interval, to elect a national convention, not only to re-model the state, and to settle all accounts between government and individuals, but to adjust every contract and every transaction between man and man. Seeing that the hon. member for Norfolk had not thought fit to do it, as the petition of that county—he would move that it be printed.

Ordered to lie on the table and to be printed.

Mr. *Coke* said, he had now to present from the same county, petitions of a different description to that which the House had just heard, and the subscribers to which disowned all connection with what had been called the county petition. The hon. member then presented petitions from the hundreds of Launditch, North Greenhoe, Brothercross, and North Espingham calling for a reform of parliament, complaining of agricultural distress, and declaring their disapprobation of the sentiments contained in the county petition. On moving that they be laid on the table, the hon. member expressed his anxiety to say a few words. The meeting, at which Mr. Cobbett's petition was carried, was as respectable a meeting as any that he had ever attended; and the requisition on which it was called was most respectably signed by yeomanry of the county. He had attended the meeting because he felt it to be his duty to do so;

from the situation which he occupied, as member for the county; but he had previously told the requisitionists that he was sorry that the subject of reform was to be brought under the consideration of the meeting. He agreed with the petition which the requisitionists proposed in every point except one, and that was, the point relative to the fundholders. He then described the confusion of the meeting, and stated, that though he stood within two yards of Mr. Cobbett, and was most anxious to hear what that individual said, he could scarcely collect a word that he uttered: for as soon as that individual came forward, great uproar and tumult ensued. To obtain attention he cried out, "Here's immediate relief for you—this will indeed be reform—this will fill your bellies — this will prevent your beds from being taken from under you." These were very pleasant words no doubt; but he would ask, how was Mr. Cobbett to do that for the agriculturists of Norfolk which the agriculturists of Norfolk were not able to do for themselves? He contended that a very great majority of the county of Norfolk, disclaimed Mr. Cobbett's petition wholly and entirely, and, that being the case, he was sorry to see his hon. friend, the member for Durham, take the notice of this petition that he had done; for could he suppose that there was no probity in the county of Norfolk? It was because he knew the sentiments of the county to be in direct opposition to the petition, that he had not made a single remark in presenting it. In conclusion, he stated, that he fully agreed with his hon. friend, that Mr. Cobbett was one of the greatest enemies of all rational reform.

Mr. *M. A. Taylor* said, that whatever quarter such a petition might come from, when it was presented to that House it could not be too strongly or too severely reprobated.

Mr. *James* rose, to say, that in his opinion the county of Norfolk had done itself high honour by agreeing to this petition. [a laugh]. He expected to be laughed at in that House for making such a declaration; but he knew that he should not be laughed at for it out of doors. If he had wanted any proof of the honour which the county of Norfolk had done itself by supporting this petition, he should have found it in this singular fact—that, much as it had been scouted, laughed at, and abused, no man had yet been found who could contradict its allegations, or refute the reasoning by which they were supported.

Lord *C. Townshend* censured the revolutionary principles contained in the Norfolk petition.

Mr. *Hume* said, that though he disapproved of the paragraphs in the petition, relating to the funds and to the equitable adjustment of contracts, he must still maintain that the property of the church was public property, intended for the support of religion; and that if a larger portion was bestowed upon the church than was necessary, the House had a right to abridge and reduce it. He did not mean to say that the church of England had a greater share of property than was necessary to its support. What he complained of was, the manner in which that property was distributed and appropriated. There was a wide difference, however, between the church of England and the church of Ireland. In the latter country, the church had certainly more property than it ought to have; but in England, he did not believe that it had more than was wanted to maintain its clergy.

Ordered to lie on the table.

Reform of Parliament.] Lord *John Russell* said, that it was now his duty, after a lapse of twelve months, to renew the subject of Parliamentary Reform. Before he entered into the merits of the petitions which crowded the table of the House in favour of that measure, he would beg of the House to consider for one moment the mere number of those petitions, and the claims of the persons by whom they had been signed. In addition to the petitions presented during the last year, there was one lately sent up from the county of York, of which he might fairly say, that the like had never been laid upon the table of the House. In addition to that petition, signed by no fewer than 17,000 freeholders of the great and populous county of York, there had been meetings in various parts of the country; and among the rest, a most numerous and important one at Edinburgh—all praying, or demanding parliamentary reform. Under these circumstances he felt how difficult it would be for him to treat a cause of such magnitude in a manner suited to its importance. He felt how still more difficult was the task, under the circumstances in which he was placed, of sustaining that cause; the advocate being, in point of fact, the accuser of those who were his judges, and success to demonstration in making out his case the sure way to attract the condemnation of the body which he addressed. But, besides these difficulties, which belonged at all times to the discussion of the present question, there were others which arose out of the peculiar circumstances of the times. Reform—curious enough—was the question upon which the existing cabinet was united. Differing, as the members of that cabinet did, upon so many points of foreign and domestic policy, they were nevertheless agreed, and fully agreed, upon one point; namely, that their means of government should be by corruption. Again, that right hon. gentleman (Mr. Canning), whose eloquence had given the tone to almost all the speeches uttered in all parts of the country against reform—that very right hon. gentleman now sat in the councils of the Crown, and held the post which was truly, though improperly, called that of manager of the House of Commons. If the elevation, however, of the right hon. gentleman threw some impediment in the way of the question, one consolation was, that it threw additional responsibility upon the right hon. gentleman himself. They all knew, that there was no abuse so vicious—no system so injurious—but talent and ingenuity could find some argument in its favour; and, in truth, it was too much upon such points of forlorn hope, that facility of address delighted to exercise itself. The right hon. gentleman had hitherto spoken speculatively upon the question of reform; and many had given him credit for meaning practically what he said. But the right hon. gentleman now stood in a different situation. He would have to speak in his capacity of manager of the House of Commons: and he would have—which was something more—to act in that capacity. It was the right hon. gentleman who would be compelled, in the event of a general election, to give a peerage to one person, and an office to another—to offer a large reward to the possessor of six seats, a smaller to the holder of three or four; in short, who would be compelled, through the agency of his trusty assistant the secretary of the treasury, to distribute all those promises, honours, and rewards, which were necessary to secure for government a majority among the new representatives. Now, he did congratulate himself, that such a responsibility would lie upon the right hon. gentleman opposite. He did hope, that the right hon. gentleman's feelings would recoil from the execution of such a duty—that he would be disgusted with the practice of governing by such means—that he would deem it beneath him to dirty his hands with work so filthy and abominable; and that, desirous of placing his government upon a foundation more honourable and more secure, he would look only for the support of an enlightened people, delivered through the medium of an honest House of parliament.

He should now come, without further preface, to the merits of the question before the House; and he thought he might assume it as a principle, in opening that question, that an assembly framed like the House of Commons to protect the interests of the people from the encroachments of the Crown, and for the various other functions which it was the business of the House of Commons to discharge—that it was necessary that an assembly of such a description should be guarded by every possible means, and, indeed, by some very especial contrivance, from becoming the accomplice of that high influence which it was its immediate duty to check. That was a proposition which would hardly be contradicted by any one; and, indeed, it was with a view to the principle with which it was embodied, that all the later writers upon the subject of constitutions, and all those who had framed constitutions in modern times, had uniformly endeavoured, by one of two methods—sometimes by both—to secure, as far as possible, purity in the representation of the people; the first of those methods—now introduced into the constitution of Spain—being, to exclude from the representation, all persons holding office under the Crown, or connected with the executive government; the second, going to a contrivance that the body elected should frequently return into the ranks of the community, and so giving the people an opportunity from time to time of deciding and acting upon the public conduct of their representatives. He would not now begin by setting up the proposition, that the House which he was addressing ought to be the real representatives of the people of England. He could find precedents enough, in every page of the Journals, for saying, that the members of the House were sent thither by the people to speak their sentiments.

But in saying this, he was bound to guard himself and his friends from being supposed to argue, or to have ever argued, that the House was bound to be the echo of the popular voice, or to express the opinions of the people, as they arose from day to day. Such might be the opinions of that class of reformers who called for annual parliaments and for universal suffrage; but they were not his opinions, nor those of the persons with whom he acted. All but the advocates of annual parliaments and universal suffrage were inclined so to limit the elective franchise as to confine it to that class of persons who would be capable of appreciating the merits of their representatives, and to extend such a measure of duration to parliaments as should give time to those assemblies to consider well of the measures which might be submitted to them. The people were perhaps better judges of men than of particular measures. Fairly trusted to choose their own representatives, they would not fail to be right in the end. He was no party to the demand of universal suffrage. On the contrary, he thought that every care should be used in the selection of representatives; but he abjured, with all his heart, that contrivance for giving weight to the decisions of the House of Commons, which lay in the majority of its members being chosen by the Crown and by the House of Lords. They had the authority of a man who to solid sense added the character of strict integrity—he meant sir James Lowther, the first lord Lonsdale—in reprobation of the system of nomineeship. In the strongest manner he had deprecated that innovation, as striking at the root of the constitution, leaving it a House of Commons in name, but an instrument of the Crown in effect. It might be asked, why was not the necessary remedy provided against such an evil by our ancestors? The answer to that objection was, that up to the period of the Revolution, there was no adequate necessity. The great men who took a part in that event felt that they were not called upon to make out a paper constitution. They had for their object to maintain the ancient rights of the people and to redress present grievances, and amongst those grievances, the inadequacy of the representation was not one. Nay, during the last parliament of Charles 2nd, so unexceptionable was the state of the representation, that, during the progress of the Exclusion bill, when a secretary of state rose to move that that bill should be thrown out, not a member was to be found to second his motion; a circumstance that was not very likely to occur under the existing order of things in that House. But, as the traveller in the fable, after having successfully secured himself against the force of the north wind, was subdued by the mild power of the sun, so did the purity of the House of Commons, which had so long resisted the strong attacks of prerogative, yield to influence. It was not necessary for him, in that place, to give any assurance of the extent of the system of corruption that now existed—it was needless to go into specific statements, to prove the length to which it was now carried, for use what language he might, none were so well acquainted with the infamy and extent of those practices, as the members of that House themselves.

In an early part of the session, when he moved for certain returns, with the view of showing the limited number of those to whom the elective rights were restricted, the right hon. secretary had opposed the motion, because the information was unnecessary. That right hon. gentleman had declared, that numbers could have no weight in the dispute, and that every body granted, as every body knew, that Old Sarum had but one voter—some other place only two—a third three, and so on. Grounding himself, therefore, upon this admission from the right hon. secretary, he would proceed upon some accounts which were already in existence, without staying to consider whether they were precisely correct. From those accounts it appeared, that 290 members of the House of Commons—a considerable majority upon a list of 513—were returned in England alone, by about 17,000 electors. Those 17,000 were, by no means, the whole of them, independent voters. In many cases, 60 or 70 voters would be found to be absolutely in one hand. But admitting the whole 17,000 to be *bonâ fide* voters, it would appear that the majority of English members in that House was returned by a body not quite so numerous as the body of freeholders which had recently signed the Yorkshire petition for reform. Now, the simple fact so made out, seemed to him a conclusive case for the House to enter upon an inquiry into the state of the representation.

But, there were other objections taken

to a reform in parliament, which it behoved him to notice before he sat down. Among the first of these objections there was one frequently urged; namely, that although corrupt practices as to election did exist at the present time, yet that practices of the same kind had existed in every period of our history; that in the days of Elizabeth, in the days of Charles, in short, in every age, influence had had, and of necessity must continue to have, its weight. But he begged, in the first place, to answer that objection by reminding the House, that the question now was, not a question of some corruption, but of a corruption arrived at such a height, as to overwhelm the just and honest influence of the people in that House. And secondly, if he was told that corruption had existed in former times, he answered, that however suitable to former times, it was not suitable to the times present. However the people had been accustomed to submit to the authority of great men in the days of Elizabeth, to the influence of a licentious court in the days of Charles 2nd, or to downright corruption in the days of sir Robert Walpole—however in times past they had been used to endure corrupt practices, they were now sufficiently enlightened to demand that those practices should no longer exist. He could anticipate part of the line of opposition which would be taken against him. He expected to have old books and old authorities brought up, containing descriptions of election transactions very similar to those of the present day. But such facts, if proved, amounted to no justification whatever. Was it an answer to our being wrong now, to show that our ancestors had been wrong at some former period? Suppose a party of gentlemen to walk out at night with swords, and to wound or kill peaceable persons in an outrage; no doubt such persons, when carried to the nearest police-office, would be capable of producing abundant authority from the comedies of Congreve, or from the essays in the Spectator, that similar practices had existed in the days of our ancestors; but, would any reasonable man say, that they had made out a defence, because they proved that the police of England had been bad, or her system of morals lax, a hundred years before their offence was committed?

There was another objection on which much stress was also laid; namely, that the people themselves were much more corrupt than the parliament—that whatever might be the faults of the persons elected, they were at least quite as honest as the men who elected them. If, for a moment, he could give credit to such a statement, it certainly would be no argument with him to give support to those who benefitted by that corruption; he should, instead of such a course, feel it his duty, under such circumstances, to retire from public life, rejecting, altogether, any communion with that profligacy which he was unable to stem or to defeat. But he was far from acquiescing in such a conclusion—he was satisfied the country was not in that state of corruption which such an objection assumed; and he found that conviction justified by the fact, that wherever the right of election was exercised by a large body of electors, the choice was made on public and disinterested principles. He believed that the electors of Grampound had received almost as much money as the soldiers of Rome had received for selling the empire to Didius; but still he did believe that when the elective franchise was transferred from Grampound to the county of York, the inhabitants of that county would be found to make a better use of it. The mere number of the electors would form a strong barrier to the possibility of corruption.

He came next to an attempt which had sometimes been made, to place the advocates of reform in a dilemma. It was said to them, "either restore the constitution to what it was, at some former period, or constitute it anew." He did not feel himself bound by either branch of that dilemma. He did not feel himself bound to point out any period at which the representation of England had been perfect: nor did he feel it incumbent upon him, failing to show such perfection, to originate a new system. What! If he had a house, which was partly ruinous and rotten, and if he sent for an architect to put it into repair, saying to that architect —"Repair me this or that, and add such or such new rooms, for I want them, as my family has increased," was the architect to turn upon him, and to say—"You cannot amend part of your house, though you desire it: you must either restore it to what it was at some former period, or pull it down altogether and build a new one?"

Again, it was contended—and this was

a great argument—that however it might appear that corrupt practices did prevail, however it might seem unjust that so large a portion of members should be returned to that House by so small a portion of the empire, yet, upon the whole, the House did its duty fairly, and was virtually, if not actually, a representation of the people. Now, to this argument he had one answer. There were lists regularly published of the names of the members of the House, with the places by which they were respectively returned, distinguishing those who commonly voted with government, from those who were in the habit of opposing its measures. He had taken, at a hazard, 45 names from those where the return was made by a large population, and 45 from places where the electors were few: and he had found, that of the last 45, 33 supported government, and 12 opposed it; while of the first list, it was supported only by 15 and opposed by the remaining 30. Let the opponents of reform get over that fact as they could. He did not see how the members returned by small bodies could be fairly said to represent the people, when they were found constantly in opposition to the representatives of the large towns. But, as this last argument might not be held sufficient, perhaps it might be worth while, when the House was called a virtual representation of the people, to mention a few cases in which its decisions seemed a little at variance with that position. And first, as an instance of its subserviency to the will of the Crown, he would take its vote upon the Catholic question, in 1812. At that time, Mr. Perceval was minister, a man whose administration was formed on the principles of direct hostility to the claims of the Catholics. Mr. Grattan, no mean advocate, be it recollected, brought forward that question on the 23rd of April in that year, when it was negatived by a majority of 300 to 215. It so happened, that on the lamented death of that minister, who fell by the hand of an assassin in the month of May, a new administration was formed, upon that party-coloured principle which has ever since continued; a principle which made it the duty of one part of the cabinet to excite the Catholics to apply, in order that the other part of the cabinet should shut the door upon their application. In this state of things, the right hon. and learned gentleman opposite (Mr. Plunkett) introduced the question with a slight difference in form—and, strange to say, though the motion was submitted only two months after the former, namely, on the 22nd June, the opinion of the House was so altered by the recent change in the administration, that 235 members voted for it, and but 106 were opposed to it! Now, he would ask how it was possible that the majority of that House had received so much information, and become so enlightened in the course of two little months, that they were induced, on pure conviction, to support the motion of the right hon. gentleman relative to the Catholic claims?—Another question to which he would take the liberty to call the attention of the House was connected with the Currency. They all recollected the celebrated resolutions passed in 1811, which solemnly stated, that there was no depreciation; but, at the very time when such a statement was advanced, the salaries of public officers had been increased, on the very ground of a depreciation having taken place. Could this be said to be a calumny? Or, if it were proved, did it not show a great dereliction of principle, that the government should thus take advantage of the depreciation which they solemnly denied? But, the evidence of this was not doubtful. It rested upon an address proposed by the hon. member for Corfe Castle, who, in 1820, had moved for an investigation into the increased salaries of public officers since 1797, the augmentation of which had taken place on the grounds of additional labour and the depreciation of the currency.

But, it might be said by the enemies of reform, that although the House frequently acted against the opinion of the people, yet they acted on the suggestion of a better and more deliberate judgment, and that such a line of conduct was of more national advantage than a more direct and immediate representation of the people in parliament. Now, if that were indeed the case, the resolutions which were passed in that House in a spirit adverse to the feeling of the community at large, would be subsequently hailed as proofs of its wisdom, and the people would bless the decisions which they, upon a hasty view, had opposed. But, was this in reality the case? No, he would affirm it was the direct contrary. For that House, after having passed many bills and many resolutions, which occasioned much irritation, had repeatedly been obliged to retrace their steps, and come back to the judgment of the people. If instances were wanted, he could refer to the military system of 1816. The people were then convinced, that a much larger military establishment was proposed to be kept up than the necessities of the country required; yet, not a soldier was refused by the votes of the House. It was only after repeated remonstrances, and after great public clamour, that the House consented to a reduction of that vast military force. The noble lord then adverted to other instances of reduction, induced by the repeated complaints and remonstrances of the nation, such as the reduction of the two lords of the Admiralty and the post-masters-general, with the repeal of the salt and other taxes, which were yielded to the landlords long after the diminution of their rents. The House had decided against similar propositions before; and when they did yield, the only potent orator that persuaded them was the increasing discontent of the country.

With regard to the measure which he had now to propose, it was the same at all points with that which he had proposed last year. He wished to have a hundred members added to the representation of the counties and of the populous towns, to be taken from the quota now furnished by the boroughs. But, last year he had omitted, by accident, to state one condition which he now meant to include. This would be the only variance between the motions, and it went towards acknowledging the right of compensation to the boroughs, which, by his proposals, were to be deprived. He believed, for his own part, that it would be perfectly safe, under any view, to transfer the suffrages from one part of the empire to another. At the same time, while he offered that as his opinion, he was quite ready to confess that it was not altogether so consistent with the tenderness which the House might feel for the particular rights of those interested. To meet both views, he would admit, that the persons who now possessed votes in the small boroughs which were to be reduced, should receive compensation for the loss thereby incurred. If any member would come forward with a specific proposition to that effect, he promised him his support. He said more—if any member would submit a proposition in the nature of that suggested once by Mr. Pitt, for the purchase of the small saleable boroughs, by a sum of the public money to be paid to the burgesses, he was ready to give it his support, provided it should be made out, that, without any difficulty and with the least possible loss of time, those votes could be made available to the general interests of the country. He contended that it would be wise to apply a portion of the nation's resources in this manner. It would be desirable on the score of prudence, for it was estimated by an able calculator, that no less than twenty millions of the public money had been lavished by one parliament on objects merely wasteful. It would be wise economy to throw away a million in the purchase of boroughs, to secure an honest representation of the people.

There was one topic more to which he would address a few words. It was commonly said by the more moderate opponents of reform, that, allowing that there had always been a prevalence of corruption in the House, allowing that numbers of the members were commonly swayed through undue means by the minister, the voice of the people was yet heard, its influence was felt, and it effected a sufficient counterpoise against the force of corruption. To this he would reply, that the House of Commons, as it was now constituted, had singularly proved itself unable to perform the duties of a house of commons, in the proper sense of those words; and that he might well apply what had once before been said of it—that instead of being a representation of the people—and a check upon the Crown, it represented the Crown and was a check upon the people. But, what kind of a constitution was this? A House of Commons, in the exercise of its proper functions, wanting, as they were told, the aid of corruption to effect a counterpoise! He would ask, was this the form of government which, under the title of the free British constitution, was held forth to the admiration of the world? Was it really to be considered a sufficient antidote to the evils of a corrupt government, that there was the opinion of an enlightened people condemning every thing which the government did—that there was a power in the nation which at length obtained, by clamour and noise, some reparation for the injuries inflicted on the community? It appeared to him, that such a system, instead of being a wise one, was one of the worst and most absurdly constructed that could possibly exist. Public opinion was, no doubt, very strong. It could correct some faults, but the more strong it was—the more exaggerated its power was—the more necessary it was that it should be legally and adequately represented—the more it was stated, that the opinion of the people obtained volume and force, the more was the exigency made out for conforming to it the frame and spirit of our institutions. It was in this view that he had last year produced documents to prove the progress of information among the people, and the advance of public opinion. It was then stated, in opposition to that argument, that the progress of information, and the increased instruction of the people, only proved the excellence of the government under which that improvement took place, and that the more newspapers and the other channels of instruction increased, the more clearly was it proved, that the government under which that increase grew up, promoted the freedom and happiness of the people. He was surprised at such an inversion of reasoning in answer to the principle which he then advanced. That principle was borrowed from a celebrated writer, a man of original mind and profound erudition, and one who united learning with wisdom to a degree that had never perhaps been excelled. He alluded to the late Professor Playfair; who had stated, that it was impossible such a convulsion as occurred in France could have happened, if, previously to the Revolution, there had been a conformity between the institutions of the country, and the advanced state of information of that people. Knowledge had been long on the increase in France, and its operation would have favoured the improvement of the country, but its institutions were signally corrupt. A terrible convulsion was the consequence. He stated also, that if a reform had been effected in France, and the government had wisely taken the precaution to adapt its institutions to the state of the public mind, the dreadful scenes which accompanied the revolution would have been averted. In those sentiments he also concurred; and applying them to the subject before the House, he would say, "With you, too, public opinion is strong, but not unruly; your people are enlightened to a degree hitherto unknown upon the face of the earth; but do you suppose that they will be contented with the career of a government which pays no attention to their entreaties—which they are permitted in no instance to control?" Could it be expected that they would remain satisfied with that state of things wherein the body which should represent them—which the law expressly pointed out as being bound to sympathize with them, and give effect to their reasonable wishes—was directed by quite another kind of influence? Did the House hope to continue such a system? He said, it could not be. The question was no longer, if reform should ever take place: that question had quite gone out of their hands. Whether reform should take place to-day, to-morrow, or at some future time, was a question still left for their decision. They had to inquire, whether reform should advance under the conduct of enlightened statesmen, aided by the counsels of wisdom and prudence, or whether it should take place in the midst of storms and convulsion? That was now the question. And, was there, he would ask, any member of that House, who would not rather be himself the director of that great human improvement than let it come from abroad? What force now remained to be employed against the strength of public opinion? What wise or constitutional measure of parliament was to be produced in opposition to the general wish of the people for a reform? There was nothing to be opposed to the march of public opinion which could stop its career. The great stream of public opinion flowed on, sweeping every thing along with it, and breaking down those landmarks which were once thought immoveable. Let the opponents of reform be aware of its bulk and power; or the peaceful resistance of the stream would become the madness of the torrent. Let the House, then, leave to the despots of the continent to make war upon opinion, and to raise armies for the vain purpose of counteracting the beneficent progress of knowledge and of intellect. Let them do as their ancestors had done. At the period of the Revolution they remedied the evils which the people then felt. Let the House remedy the evils which the people experienced at the present day. Then, said the noble lord, you will give to your government a stability, and to your constitution a state of security and splendor, which it will be impossible to overthrow, either by the efforts of tyrants without, or the intrigues of corrupt ministers within.—The noble lord concluded by moving, "That the present state of the representation of the people in parliament requires the most serious consideration of this House."

Lord *Normanby* said, that in rising to second the motion, he felt some apology to be due to the House. It might have been expected from him, that he would wait until he had heard what arguments were to be opposed to the motion. There was nothing, however, which could lead him to expect any other opposition than that which might be called the stock declamation concerning the alleged wisdom of the constitution, the dangers of sudden change, and such like arguments. There was something new, however, in the condition of the opponents of reform. They must now deal with the question itself, unassisted by adventitious circumstances. They could not be told now, with any degree of plausibility, of the contagion of French principles, or the terrors of radicalism which had been often used to prejudice the fair question. Much less could they be told now, that they were asking for the people what the people did not ask for themselves. The demand for reform was now general; but the tone was moderate. The weapons of the people were the justice of their case, and the determination with which they supported it. They knew the principles of the constitution were admirable; but they were also convinced that the practice was deficient. The opposite side were in the habit of making a charge of wild theories against the advocates of reform. But the charge of theory he retorted upon those who made it. Nothing, indeed, could be more beautiful in theory, than the variety of representation said to be the result of our practical system. But, to suppose the discreet and virtuous exercise of high public functions in a body avowedly corrupt, was the very wildness of theory. He would not weary the House with instances; but he could not help asking, why, in the very many questions immediately affecting the public purse, decided by very large majorities in that House, it never happened that the people participated in the advantages of those decisions? It was said, that there was indecorum in questioning its conduct, as it was easy to make charges upon public bodies. But how much easier was the task of defence in such a case; and in this how little difficulty, when the House was counsel, party, and judge in the cause? He invoked their attention to the state of public opinion as evinced in the petition from York, and that other petition from Edinburgh. The hon. member for the county of York admitted the respectability of the petitioners, but claimed the privilege of holding his own opinions separately. He was right; for he happened to have made one in that majority, for whose acts, during the last twenty years, they had now to answer to the public. But were there no other counties which felt as Yorkshire? What said the people of Norfolk? What said the people of Cornwall? Were they so highly benefitted by the immediate neighbourhood of this blessing against which the whole kingdom complained? Their petition would best answer that. They were no better pleased than the people of Edinburgh. And when he considered the state of the representation for Edinburgh, and the very small number of persons by whom the member, however respectable the individual might be, was returned, for so large, so opulent, and so intelligent a city, he could not help thinking it a mockery of representation. From one end of the country to the other, the call was equally loud. Sooner or later reform must be granted. And why not? It was their best shield against foreign aggression; their best antidote to domestic corruption. They must now be conscious that one main object with the despots of Europe had, for years, been a conspiracy against the liberties of this country. Let them have that night fresh evidence of the futility of the attempt. Let them behold that House maintaining the right of the English people to be represented in it, and to control the enactment of the national laws. Let them see the object, to them so appalling—the power which can be exerted whenever danger may require it, by a united parliament and a united people.

Sir *Edward Hyde East*, on rising, desired, that the preamble of the Bill of Rights (Stat. 1. W. and M. s. 2, c. 2.) might be read by the clerk at the table; which being read, recited, that "Whereas, the lords spiritual and temporal, and the commons, assembled at Westminster, lawfully, fully, and freely representing all the estates of the people of this realm, did, on the 13th of February, 1688, deliver a declaration to the prince and princess of Orange," &c. He then argued, that this was an authentic and solemn declaration of the best patriots of that day; to whom this country was indebted for the free constitution which was then established, and which had been enjoyed ever since the Revolution; that the House of Commons, as then constituted, did not only lawfully, but fully and freely represent the people of England; for they assert, that the Commons then assembled at Westminster, did, with the Lords spiritual and temporal, lawfully, fully, and freely represent all the estates of the people. Let it not be forgotten, that that declaration was drawn up by lord Somers, lord chief justice Treby, and Mr. Pollexfen, men of the highest character for learning, experience, and constitutional principles, and that it was afterwards sanctioned by parliament. Consider also the time when that declaration was made; when all the energies of the people were roused to support the principles of freedom against arbitrary power; when those principles had just prevailed in the struggle, and when the foundations of our present free government were to be laid, in order to secure the victory thus obtained, and the personal safety and property of those who had accomplished it. Surely, if they had not believed, as well as declared, that the House of Commons was a full and free representative of the people, for every essential purpose conducive to a free constitution, they could never have passed by so favourable an opportunity of reforming and re-modelling the representation. To what purpose would they have risked every thing dear to them as men and friends of their country, in resettling the Crown, if they had left a representation, vicious, and inadequate to the security of their own work? Now, the members of the existing House of Commons are still returned from the same places, and by the same bodies, as they were at the time of the Revolution, except so far as the constituent bodies have, in many instances, and the representative body in all, become more popular than formerly; and therefore the just inference is, that the House is still a full and free representative (with the lords) of all the estates of the people. It never was, nor ever was intended to be, a representative of mere numbers; but it was, and is, as much as, or more than ever, a full and fair representative of property, and of the cities, and of most of the large towns and boroughs throughout the kingdom, and of all the different classes of the people. If this be denied by some in fact; it is sufficient to say in answer, that there is opinion against opinion in fact also; and if that fact is to be decided by a mere majority of numbers out of the House, (which would be contrary to all principle and precedent, and nullify the value and security of a representative government once formed, by which a nation agrees to speak only by its representative body), it is fair to observe, that the numbers who have petitioned for a change bear no proportion to those who have not; and that it is notorious that of the former, many have been drawn in to acquiesce, by the influence of party, or by times of peculiar distress and difficulty. But the denial of the fact of inadequacy in the representation rests not merely on counter opinions of individuals, but on much higher authority; upon the repeated declarations of parliament from the time of the Bill of Rights, when our present free constitution was settled, induced, as those declarations have been, by a decided majority of the most eminent statesmen, and of the nobles and gentlemen of England; and resting also upon the tried experience of the country, which, under its present constitution, has exhibited England conspicuous among the nations for its religious and moral feeling, rich in its charities, highly educated and scientific, cultivated like a garden, leading the world in commerce and manufactures, the first naval power, second to none in courage and military prowess. There can be no risk, therefore, in continuing under a constitution which has achieved such results; but there is great risk in altering it, if such alteration is really to lead to important changes in the opinions and conduct of parliament, and the general description of its members; and every sensible and honest man must admit, that no constitution of government ought to be lightly changed, nor unless it be clear, beyond any reasonable doubt, that important benefit will arise from such change. There must always be great hazard in making sweeping changes at once. The principle once admitted, it opens the door to perpetual changes, and paper constitutions, according to the supposed interest or passions of contending parties. If there be any odium on this subject (and none ought to be attached to the honest expression of opinion without intended offence), it should rather attach on those who seek change, and not on those who support an established constitution, admitted by all to have worked a considerable portion of good to the country; which has secured to the nation the blessing of general freedom, of justice, and of a government by law; which has originated the Habeas Corpus act, the Bill of Rights, and secured the Protestant Succession of the Crown, and free debate in parliament.—But it may be objected, that the declaration alluded to in the Bill of Rights, may have been true at the time, and yet that the representation may have since become imperfect, by subsequent alterations narrowing its original bases, or by an increased population, or by the improved intellect and condition of the people. Now, the reverse of all this is nearer to the truth, in every instance where any alteration has taken place. For, first, every actual alteration has tended to throw weight into the popular scale, whether from legislative or moral causes; as by the extension of the elective franchise, in cases where the smaller boroughs have been convicted of general corrupt practices, either by letting in the freeholders of the adjoining hundreds, or by the removal of the right of election altogether from the offending body to some more important and populous body; the latest instance of which was in the transfer of the elective franchise from Grampound to the county of York. Upon this point, however, it may fairly be doubted, whether it would not have been more in the spirit of the constitution, if the transfer had been made from the disfranchised borough of Grampound, to one of the few large towns of England which remain unrepresented, having grown up in modern times, such as Birmingham, Leeds, or Manchester; to which a charter of incorporation might have been at the same time granted, thereby assimilating this new member of the constitution of parliament to the rest of England, instead of making Yorkshire an exception to other county representations. And I should have felt the more inclined to this substitution, from believing that the originating and principal cause of the feeling as to the defective state of the representation was, the want of local representatives of those few popular and flourishing towns; and that if these were supplied whenever the like opportunities offered, the objection would dwindle into insignificance. An offer of this was understood to have been once made by lord North to Manchester, and declined by the principal inhabitants, as likely to interfere with the trade of the place. The popular scale has further preponderated, by the great increase in modern times of 40*s.* freeholders, not only in counties, but in all cities and boroughs where that right of voting exists. This has arisen from the actual increase of wealth, and the relative diminution in the value of money. The like effect has been produced by the moral influence of all the statutes which have been passed for preserving and improving the purity of elections, by more effective laws against bribery and corruption; by the erection of more impartial tribunals for determining contested elections; by the several acts disabling many inferior dependent placemen and pensioners from sitting in the House of Commons; from the act for limiting the duration of parliament to seven years, which was formerly held at the will of the Crown; and though for a short time the experiment of triennial parliaments was made, yet it was not found to succeed, but the limit was fixed as at present, by those who supported the Protestant Succession, and who advocated most strenuously at the time, the free principles of our government. Besides all these acts of the legislature itself, it is notorious, that the increased and increasing knowledge, wealth, and real independence in opinion and action of the great body of gentry and middle classes of the people, out of whom the members are returned, has tended essentially to identify the House of Commons more than ever with the popular feelings of the country at large. The language of party may occasionally deny this for its own purposes, in the struggle of leading men for the possession of political power in the state; but it is plain to all unprejudiced persons, that no administration can now conduct the government of this country, in or out of parliament, unless they are supported by public opinion in general. Above all, however, the established publicity of the debates has tended most powerfully to make the House of Commons a truly popular representative of the people, in every sense consistent with the preservation of our essential form of government, and much more than it was at the time of the Revolution. The powerful effect of this publicity has not been sufficiently appreciated in the discussion of this question. In the judgment of the late Mr. Fox, it was of more importance than any particular form of representation. "Give the country that publicity," he has said (speaking familiarly), "and an excellent House of Commons might be formed out of the first five hundred gentlemen who happened to pass into St. James's-street on a given day." Only let questions of national policy be debated before the public, and there can be no fear but that the candidates for political power and applause will pay sufficient deference to popular opinions. But it must not be forgotten, also, that one of the great benefits of the representative system is, to guard the people against sudden and violent impulses which may ultimately be injurious to them. In the next place, it is to be considered, that though the numbers of the people have greatly increased since the Revolution, yet that there has been a corresponding increase in the number of freeholders in counties, and of voters of the same and other general descriptions in cities and boroughs, admitting of general rights of voting. Where it is otherwise, the general answer has been already given. The representation of England was never intended to be founded on mere numbers, but is of a mixed kind, including property and classes; admitting, therefore, of greater variety of interests than mere numbers would insure, which would rather tend to exclude from Parliament all but the very wealthy or very powerful, with a large admixture of able but violent demagogues. For men of extraordinary talents ever have and ever must make their way into parliament, let it be constituted as it may. Lastly, if it be urged, that the improved intellect and character of the people at large require an improved representation, I answer, that the improvement is already obtained; for the representatives for the time being, cannot be supposed to be less informed than the general body out of whom they are chosen, and of whose general improvement they must partake. On these grounds, I can conscientiously oppose any measure which leads to a general change in the representation, the benefit of which must be precarious and questionable, while the hazard is great and certain, and the example given for further and greater changes than any now contemplated by the noble and honourable mover of this question.

Mr. *Ricardo* said, that the arguments of the hon. gentleman who had just sat down had been too often repeated, and too often refuted, to have any weight with him on the present occasion. He would not admit that conclusions hostile to the cause of reform could be drawn from the practices of past ages; because he denied that the present generation ought to be bound down by all that had been done by their ancestors. He thought the present generation possessed not only as much wisdom as any of those which had preceded it, but a great deal more. The simple question for them to determine was, whether they would not purify the House, when it was notorious that it could not be considered, in the fair sense of the words, to represent the people? He perfectly agreed with all that his noble friend who made the present motion had said, with reference to the state and condition of the House. He concurred with him in every one of his representations; but he did not think the remedy he had prescribed was the most adviseable for the purposes they both wished to accomplish. The question of reform was naturally divided into three considerations. First, the extension of the suffrage; secondly, the mode of election; and thirdly, the duration of parliaments. As to extension of the suffrage, important as he felt that topic to be, and convinced as he was that it ought to be extended much beyond its present limits, still the other two points appeared to him to be of deeper interest. In the arrangement of the suffrages, the whole of the people might be represented, and yet the House might be composed of persons whose elections had been procured by improper means. It was for this reason that he was compelled to dissent from his noble friend's proposal for transferring a portion of the representatives from close boroughs to extensive counties. He thought the whole system of election which prevailed at present was illegal. Of what use was it that the power of choosing its representatives should be given to the people, unless the free exercise of that right were also secured to them? He contended, that so long as the influence of the aristocracy possessed, as it did now, the means of biassing the votes of the people, this House could not be a fair representation of that people. Let it not be supposed, that he wished to deprive the aristocracy of that just influence which it derived from its wealth and respectability; but he thought that it became most pernicious, when it was exercised for the purpose of influencing elections. Of its practical evil, every person's own knowledge would furnish many and ample proofs. How could it be expected, that a man whose means of procuring a livelihood depended mainly upon the patronage and support of those who were in a more elevated rank—how could it be expected, for instance, that the inferior class of tradesmen—should withstand the threats and terrors which might be put into execution, to prevent them from voting according to their conscience? To look for this would be to call upon small freeholders for a degree of severe virtue which had no corresponding example in the higher ranks of society. There was but one method of obviating these difficulties; which was by altering the mode of election, and adopting the ballot instead of open votes. If this were done, they would have a house of commons which would fairly represent the people.—The other point which he wished to mention to the House was the necessity of more frequent election. And this he thought was indisputable; because it was the ready means of ensuring the attention of the House uniformly to the interests of the people.—There was another point in which he must dissent from the opinion of his noble friend. His noble friend had argued that in the event of any parliamentary reform, the House ought to take into their consideration what were called the vested rights of individuals in boroughs. Now, this really appeared to him to be a most extraordinary proposition. Could those pretended rights be considered in the light of property? Could any thing be more contrary to justice than to propose any compensation for such assumed property? Had not the people a right to be well governed? And was it to be maintained, that, because a certain set of persons had, for corrupt purposes, enjoyed the privilege for many years of preventing the people from being well governed, they should, therefore, be compensated for the loss of a privilege so unjustifiable. —The right honourable secretary (Mr. Canning) had, upon a former occasion, stated, that if the House of Commons should fairly represent the people, it would become too powerful for the safety of the Crown and the House of Lords. This argument, he (Mr. R.) contended, did not belong to the question; for it was impossible that a House of Commons fairly constituted should not consult their own interests. If, therefore, such a House should propose to dismiss the Crown and the House of Lords, it would be because they were unnecessary to the good government of the country. The right hon. gentleman must, therefore, abandon this argument, or confess, that a virtuous House of Commons would be driven to dismiss the Crown and the House of Lords.—It had also been contended, that if the general principle of his noble friend's motion were acceded to, a hundred different plans of reform would start up, and that it would be impossible to secure any thing like unanimity on the subject. That was not his opinion. He, for one, was for no alteration in the constitution of the House of Commons, unless that alteration should render it fully and fairly a representation of the people; and he was convinced that that was the object which all the friends of parliamentary reform had in view. The only difference between his noble friend and himself was, that he did not think the plan proposed by his noble friend would accomplish that object. He believed that if that plan were adopted, the House would continue to be what it now was—the representative of the aristocracy of the country, and of the aristocracy only. County elections were, in his opinion, conducted on no better principles than borough elections; and he repeated his conviction, that unless the system of ballot were resorted to, it would be in vain to attempt any reform at all of parliament.—The right hon. secretary opposite had argued, when the question was last under consideration, that the House of Commons, as at present constituted, operated as a check upon the Crown, and a balance of the power of the other House of Parliament. That he denied. To make such a proposition good, it must be first shown that the House of Commons fairly represented the people; otherwise, it was a farce and a mockery to say, that it operated as a check upon the Crown and a balance of the power of the other House of Parliament. His opinion was, that at present the government of this country was a compromise between the aristocracy and the Crown. Instead of the House of Commons, as at present constituted, being a check upon the people, it was itself frequently checked by public opinion. But, was that a convenient operation? Was it convenient that county and other public meetings should perpetually be called, for the purpose of affording a check to the proceedings of the House of Commons? Would it not be much better that the House should really represent the people—that it should be the organ of public opinion?—The right hon. gentleman, on the occasion to which he had already alluded, had triumphantly asked, to what period of our history the reformers would refer as affording the best view of the state of the House of Commons? For himself, he would answer, to none. He believed the people never had been better represented. But, were we never to have a good House of Commons, because we never had had a good one? The people at large now possessed so much more information than they ever before possessed, that they were entitled to be better represented in parliament than they had ever before been.—The right hon. gentleman opposite had allowed, that the proposition might be a beneficial one, but that it was not the constitution under which we were born. The same argument might be used to perpetuate every abuse and every evil. It might be said with respect to Ireland, was the present state of things to be continued in Ireland, because it was the constitution under which the Irish were born? To hear the right hon. gentleman, it would be supposed that the friends of reform were proposing the establishment of a republic. But that was a gratuitous assumption: it was his conclusion, not theirs. The demands of the people might be easily satisfied. They asked only for that which was perfectly reasonable—that they might have a voice in the public councils, and the power of restraining the expenditure of their own money.—He by no means denied the assertion of the right hon. gentleman, that the aggregate of the House of Commons contained as much intellectual ability and moral integrity as ever existed in any similar assembly in the whole world. But then it must be recollected, that all men, in all situations, acted under the influence of motives. He was persuaded that the conduct of the very same gentlemen by whom he was then surrounded, if they were really chosen by the people, and were frequently returned to the people that their merits might be re-considered, would be extremely different from that which it was at present. Mr. Pitt, when he was the friend of parliamentary reform, had said, that it was impossible for an honest man to be minister of this country with such a House of Commons. He was also of that opinion. He did not say, that the ministers did not mean to act honestly; but they were obliged to consult men, and to pursue measures, opposed to the interests of the people. However they might be inclined, they could not do otherwise; feeling that, owing to the peculiar constitution of the House, they would be turned out in a week if they should venture to act honestly. That the people were competent to the task of electing their representatives, the experience of this and of every other country conclusively showed. The enlightened Montesquieu had said, "Could we doubt the natural capacity of the people to discern real merit, it would only be necessary to cast our eyes upon the continued series of surprising elections which were made by the Athenians and the Romans, which undoubtedly no one could attribute to hazard. It is well known that although at Rome the people possessed the right of electing the plebeians to public offices, they never chose to exercise that power; and that although at Athens, by the law of Aristides, they were allowed to select the magistrates from every rank of the state, yet the common people, says Xenophon, never petitioned for such employment as could possibly interfere with their safety or their glory." These instances might serve to show, that instead of selecting demagogues and disturbers of the public peace, as was unjustly apprehended, the people, if left to the unrestricted exercise of their choice, would act wisely and prudently.

Mr. *Martin*, of Galway, said, that the arguments in favour of parliamentary reform were reduced to this—that the House of Commons did not sympathise with the people. Now, he was persuaded that the House did sympathise with the people, as much as it ought to sympathise with them. He by no means intended to deny that a great majority of the people were for reform. Certainly, no system of reform was such a favourite with them as the radical system of such men as Cobbett. But was the House prepared to acquiesce in such preference? So far from thinking that the House did not sympathise with the people, he contended that there never was a grievance which they did not go as far as they ought to redress. Before he pledged himself to support a motion of this kind, he should like, as he entertained some doubts upon the subject, to see an experiment, upon a small scale, of the effect of reform. The borough of Knaresborough, or that of Tavistock, would furnish the means for this experiment, which would show what results might be expected from reform. The noble mover and some of his friends might have an interest in the boroughs he had mentioned: and if they would try the effect of reform upon them, they should have his cordial support. When the hon. gentlemen had given this pledge of their sincerity, the House might be induced to go further. The hon. member for Portarlington had talked gravely about the influence of the aristocracy. Now, he did not think the hon. gentleman could name one of the constituents by whom he was returned. They were about twelve in number, and he did not recollect that he had ever set foot in Ireland. The hon. gentleman had, therefore, he presumed, been indebted to that influence, or to some equivalent one, for his seat for Portarlington. He felt obliged to oppose the present motion; but as he had said, if reform were to be tried upon a smaller scale, he would cordially support it.

Sir *J. Newport* rose to support the motion, and said, that the people of Ireland did not complain on this subject, because they had no reason, the representation of that country being as purely popular as it could be. He mentioned a conversation which he had had with the late Mr. Windham, not more than a week before the occurrence of that calamity which had terminated his valuable life. When, in answer to an apprehension which that right hon. gentleman had expressed, that the power of the Crown might be endangered by popular elections, he (sir J. N.) had adduced the example of Ireland, and asked if the Crown had not sufficient power there? That eminent man confessed that his opinion was more deeply shaken by this line of argument than by any other; because it was obvious that in that country the Crown had as much power as it ought to possess. The hon. gentleman who had just sat down seemed to throw it out as an imputation upon the sincerity of his hon. friend, that he sat in the House by virtue of a return under that system which he deprecated. He (sir J. N.) took it, on the contrary, to be as great a proof as could be given of the independence and integrity of his hon. friend's mind, that he had not hesitated to oppose that system, although he had been so returned. He (sir J. N.), had once been of opinion, that to punish occasionally any gross case of delinquency that might occur, would be sufficient for the purposes of reform. But further experience had made him alter that opinion; for he had witnessed from time to time, instances of notorious political vacillation, arising solely from a change in the ministry. That was a state of things that ought to be avoided; for he wished to remove the impression from the minds of the people, that it was not the sense of the House which operated for their advantage or disadvantage, but the influence of the minister.

Sir *T. Lethbridge* said, that although his sentiments on this subject had materially changed, still he was convinced that the circumstances of the country had afforded ample grounds to justify such an alteration. He apprehended that if the motion of the noble lord were carried, it would have the necessary effect of bringing into the House, through the medium of county representation, a different class (he did not apply the term invidiously) of persons to those who now composed it. This was one ground which induced him to call for a change in the representation. He also thought, that by taking the subject into their own hands, they would discourage those absurd and visionary doctrines which were held out to the country by specious and designing characters, both in secret societies and where large multitudes were assembled out of doors. He would put an extinguisher on such factious societies; and he knew of no way so effectual for that object as by having the question taken up in that House by men of high character. The history of this country was a continued chain of reform. The constitution contained within itself the seeds of regeneration, which had probably been the reason of its enduring for so many ages. These were partly the grounds on which he gave his vote that evening.

Sir *F. Blake* said, that reform was gaining ground year after year. In referring to the hon. member who had had the preamble of the Bill of Rights read at the table for the edification of the House, he would ask that hon. member if he recollected, notwithstanding the first paragraph of that bill stated the House of Commons faithfully to represent the people, what was the opinion of

William 3rd with regard to that very House of Commons? That monarch had said to the earl of Sunderland, on the proposition to send home his Dutch guards, "Had I as many places to bestow as there are members in the House of Commons, I should not have my will disputed." Sir Robert Walpole had said, that "every man had his price;" and lord Colchester, when lately presiding in that House, on the discussion of the case relative to the barter of a seat for a writership in India, had solemnly declared that seat-selling in that House "was as notorious as the sun at noon-day," which observation was so thoroughly consonant with the feelings of the country, that the phrase had become almost proverbial. On these occasions, when gentlemen got up to talk about the purity of parliament, he could only answer them by an allusion to what was said to Norfolk in Richard's time—"Jockey of Norfolk, be not too bold; for Dickon, thy master, is bought and sold." He had observed on the conduct of former Houses pretty strongly, but he was not permitted to speak any thing in dispraise of the present. He could say nothing in its favour, and therefore he would leave its character to be defined by posterity. He agreed that it was more advisable that a reform should originate with the House itself, than that the people should be obliged to take the remedy into their own hands; which they would be justified in doing, if their birth-right, a free representation, was withheld from them. It mattered not how long it had been delayed. Such considerations did not operate when the interests of the king and the clergy were involved. He hoped, therefore, that by their vote of that night, the House would adhere to the old maxim—"Nullum tempus occurrit regi aut ecclesiæ," adding the two little words "aut populo."

The House divided: Ayes, 169; Noes, 280. Majority against the motion, 111.

List of the Minority.

Abercromby, hon. J.
Allan, J. H.
Althorp, visc.
Anson, hon. G.
Anson, sir G.
Baring, A.
Baring, sir T.
Barnard, visc.
Barratt, S. M.
Becher, W. W.
Benett, John
Bennet, hon. H. G.
Bentinck, lord W.
Benyon, B.
Bernal, Ralph
Birch, J.
Blake, sir F.
Boughey, sir J.
Brougham, H.
Browne, Dom.
Burdett, sir F.
Butterworth, J.
Byng, G.
Calcraft, J.
Calcraft, J. W.
Calthorpe, hon. F.
Calvert, N.
Campbell, hon. G. P.
Carew, R.
Carter, J.
Caulfield, hon. H.
Cavendish, lord G.
Cavendish, H.
Chamberlayne, W.
Chaloner, R.
Clifton, visc.
Coffin, Sir I.
Coke, T. W.
Colborne, N. R.
Creevey, T.
Crompton, S.
Cradock, S.
Curwen, J. C.
Davies, T. H.
De Crespigny, sir W.
Denison, W. J.
Denman, T.
Dickinson, W.
Duncannon, visc.
Dundas, C.
Ebrington, visc.
Ellice, E.
Ellis, hon. G. A.
Evans, W.
Farquharson, A.
Farrand, R.
Fitzroy, lord J.
Fergusson, sir R. C.
Folkeston, visc.
Fitzgibbon, hon. R.
Glenorchy, visc.
Grant, J. P.
Grattan, J.
Grossett, J.
Guise, sir W.
Haldimand, W.
Hamilton, lord A.
Heathcote, sir G.
Heathcote, G. J.
Heron, sir R.
Hill, lord A.
Hobhouse, J. C.
Honywood, W. P.
Hornby, E.
Howard, lord H. M.
Hume, J.
Hurst, R.
Hutchinson, hon. C. H.
James, W.
Jervoise, G. P.
Kennedy, T. F.
Knight, R.
Lamb, hon. G.
Lambton, J. G.
Langston, J. H.
Latouche, R.
Lawley, F.
Leader, W.
Lemon, sir W.
Lennard, T. B.
Lester, B.
Lethbridge, sir T.
Leycester, R.
Lloyd, sir E. P.
Maberly, J.
Maberly, W. L.
Mackintosh, sir J.
Mahon, hon. S.
Marjoribanks, S.
Marryatt, J.
Martin, J.
Maxwell, John
Milbank, M.
Milton, visc.
Monck, J. B.
Moore, Peter
Neville, hon. R.
Newman, R. W.
Newport, sir J.
Normanby, visc.
Nugent, lord
O'Callaghan, J.
Ord, W.
Osborne, lord F. G.
Palmer, C.
Palmer, C. F.
Pares, T.
Parnell, sir H.
Peirse, H.
Pelham, hon. C. A.
Pelham, J. C.
Philips, G. sen.
Philips, G. H.
Power, R.
Powlett, hon. W.
Price, R.
Prittie, hon. F. A.
Poyntz, W. S.
Pym, F.
Portman, E. B.
Ramsden, J. C.
Rickford, W.
Robarts, A.
Robarts, G.
Robinson, sir G.
Rowley, sir W.
Rumbold, C.
Russell, lord G. W.
Russell, R. G.
Russell, W.
Scarlett, J.
Scott, J.
Smith, W.
Smith, J.
Smith, hon. R.
Stanley, lord
Stanley, hon. E.
Stewart, W. (Tyrone)
Stuart, lord J.
Sykes, D.
Talbot, R. W.
Tennyson, C.
Tierney, right hon. G.
Titchfield, marq.
Townshend, lord C.
Tynte, C. K.

Warre, J. A.
Webbe, E.
Wharton, J.
Whitbread, S. C.
Whitbread, W. H.
White, colonel
Whitmore, W. W.
Wilberforce, W.
Williams, J.
Williams, sir R.
Williams, W.
Winnington, sir T.
Wood, M.
Wyvill, M.

TELLERS.

Russell, lord J.
Ricardo, D.

PAIRED OFF.

Lloyd, J. M.
Markham, admiral
Tavistock, marq. of
White, L.

SHUT OUT.

Kemp, T.

HOUSE OF LORDS.

Friday, April 25.

NEGOTIATIONS RELATIVE TO SPAIN.] Lord *Holland* said, he would take the present opportunity of settling a trifling difference which existed between the noble earl opposite and himself. In Feb. 1816, he had asked the noble earl, whether there was any treaty, or any stipulation in any treaty, between this country and the other powers of Europe, to prevent the union of the crowns of France and Spain on one head! The noble earl had then answered, that there was no such treaty, nor any treaty or article of a political nature which was not before parliament. In the additional papers laid before parliament, there was a despatch from Mr. Canning, dated 31st March, to sir C. Stuart, to this effect:—" The article, of which I enclose a copy, is contained in the treaty between his majesty and the king of Spain, of 1814, but has never been published. It was originally a secret article, but his majesty having declined agreeing to it as such (from the opinion that it ought to be communicated to his majesty's allies), its title was changed from that of a secret to a separate article. It formed part of the treaty communicated to the court of France, in 1814, by the duke of Wellington, then his majesty's ambassador at Paris; but it was omitted in the copy of the treaty laid before parliament, at the express desire of the French government." So that this was not a secret article, but a separate article, which was not to be made public —rather a nice distinction! but see what the article was:—" His Catholic majesty engages not to enter into any treaty or engagement with France of the nature of that known under the denomination of the Family Compact, nor any other which may affect the independence of Spain, which may be injurious to the interests of his Britannic majesty, or may be contrary to the strict alliance which is stipulated by the present treaty." Now, if this were meant as an answer to his question, it was no answer whatever: for if the intervening lives should drop, there was nothing in that article to prevent Ferdinand from succeeding to the crown of France. The words, " known under the denomination of the Family Compact," were strangely indefinite, and might be evaded with facility. The strictest union might be established of a similar nature to the Family Compact, and the influence of France fully established in Spain; and yet they might call it nothing but a treaty between France and Spain. The noble earl's memory had certainly not served him correctly as to the question which he had put to him; and in this he was confirmed by a reference to the irregular reports of what passed in that House.

The Earl of *Liverpool* said, it might be easily conceived he had not had the advantage of referring to the records alluded to by the noble lord, nor had he any precise recollection of the question and answer in 1816, but he believed that the answer to which the noble lord alluded, had no reference to any question relative to the crowns of France and Spain. With regard to this separate article, it was deemed expedient at the time, in compliance with the wish of the French government, not to make it public. With respect to the term Family Compact, the meaning of it was perfectly understood; but it was certainly the bearing of all the treaties, that the crowns of France and Spain should not be united upon one head.

Lord *Holland* asked, what was to prevent the king of Spain from succeeding, in case of certain events, by virtue of legitimate hereditary right, to the throne of France?

The Earl of *Liverpool* observed, that the treaties distinctly recognized by other powers, and assented to by the legislatures both of France and Spain at the time, would prevent that event from taking place.

Lord *Holland* said, the treaties were now nullified, and of no effect, and as to the recognition in France and Spain, it should be recollected that Louis 14th had expressly stated that he could not bind his successors.

The Earl of *Liverpool* contended, that if such a doctrine were to prevail, no treaty whatever could be binding except during the life of the sovereign who agreed to it. The contrary however was well known to be the law of nations. The treaty which operated to prevent the crowns of France and Spain from being united upon one head, had been distinctly recognized by the then legislative bodies of France and Spain, by an act registered in the parliament of Paris, and by the Spanish Cortes.

APPELLATE JURISDICTION.] The Earl of *Liverpool* rose to call the attention of the House to the state of the appeals before it. He said, he intended to propose the appointment of a committee to consider the subject, and he therefore recommended to noble lords to abstain at present from the proposal of any remedy, in order that they might come to the committee without any bias on their minds. When the measure was first proposed in 1813, for hearing appeals during the whole morning three days in the week in that House—and which had been rigidly adhered to—it was expected that when the then existing arrear of appeals was got rid of, the number would be so kept down, that one day in the week would suffice for hearing them, and that his noble and learned friend on the woolsack might then be enabled to devote the other two days to the business of the Court of Chancery. So far, however, from this being the case, the number of appeals had actually increased since that period, the number lodged being 570, considerably more than the number heard and decided. Under these circumstances, it became absolutely necessary to consider of some other measure, not only with a view to facilitate the administration of justice in that House, but also to prevent the delay of justice in other courts, arising from the present mode of hearing appeals. The noble earl concluded by moving for the appointment of a committee to consider of the best means of facilitating the administration of justice in that House with regard to appeals and writs of error.

The Earl of *Roseberry* expressed his thanks to the noble earl for the measure he had brought forward.

Lord *Cawdor* referred to the papers laid before the House, respecting the administration of justice in Wales, and wished to know whether it was intended to found any measure upon them? He thought the subject might with propriety be referred to the said committee.

The Earl of *Liverpool* said, he had no intention at present of proposing any measure with reference to the subject alluded to by the noble lord. He thought it would be better not to embarrass the question, by referring to the committee the subject suggested by the noble lord.

The motion was agreed to, and a committee appointed.

HOUSE OF COMMONS.

Friday, April 25.

MACHINERY — PETITION OF MANCHESTER COTTON WEAVERS.] Mr. *Huskisson* presented a petition from the Cotton Weavers of Manchester, complaining of distress, and attributing it in a great measure to the employment of machinery. The right hon. gentleman expressed his dissent from the opinion of the petitioners, that the remedies suggested by them were likely to be effectual. He sympathised with their distresses; but saw no immediate means of affording them relief.

Lord *Stanley* observed, that though the wages of the petitioners were undoubtedly small, it should be remembered that the price of provisions was also extremely low.

Mr. *G. Philips* denied that the weavers were injured by the use of machinery, as it was applied in their trade. As far as regarded the rate of profit at present obtained, the men were in general better off than their masters.

Mr. *Peel* had made a careful inquiry among those who were best qualified to give information, and had the satisfaction of saying that the wages of labour were, considering the price of provisions, such, that the weavers could afford to live in comparative comfort.

Mr. *Maxwell* said, he had at one time been of opinion, that in order to equalize the advantage of labour a tax should be imposed on that description of machinery which came most directly in competition with human labour. Now, however, he had doubts as to the propriety of imposing any such tax; and would, instead of it, recommend that the taxes on the operative labourer should be reduced.

Ordered to lie on the table.

GAME LAWS—PETITION OF RICHARD DELLER FOR AN ALTERATION THEREOF.] Mr. Grey Bennet presented the following petition:

"To the honourable the Commons of the United Kingdom of Great Britain and Ireland in parliament assembled:

"The petition of Richard Deller, farmer, of the parish of Easton, in the county of Hants, complaining of the conduct of three justices of the peace, the duke of Buckingham, the rev. Robert Wright, and the rev. Edmund Poulter:

"Most humbly sheweth,

"That the farm occupied by your petitioner, in the parish aforesaid, is bounded in some parts by lands of the duke of Buckingham, and that game preserved by the duke does your petitioner an injury yearly to the amount of thirty or forty pounds:

"That on the 19th of February and on the 6th of March last year, your petitioner was out on his farm with a party of his friends (to whom the grey-hounds belonged) coursing hares, having full liberty from his own landlord to sport on the farm; that informations were laid against him by a game-keeper of the duke of Buckingham; that as to the first day, your petitioner proved the owner of the dogs to be qualified, and that therefore no penalty lay against him; that, as to the second day your petitioner was summoned to appear before a justice of the peace, and, to the great surprise of your petitioner, this justice of the peace was the duke of Buckingham himself, who summoned your petitioner to appear before him, at his house at Avington in the said county:

"That thus, John Roberts, a game-keeper, and the servant of the duke, stood as informer, and George White, another game-keeper and servant to the duke, stood as witness, and the duke himself, the employer of that informer, and of that witness, sat as judge:

"That, your petitioner thus appeared before this singular tribunal on the first day of the present month of April; that the day before, a compromise was offered to your petitioner, in the duke's name, by his steward; that this compromise was not accepted, because the duke would not agree to pay for the damage that might be done to your petitioner by his game:

"That, when your petitioner went to answer the summons, he took a friend with him to be witness of what might pass; that the duke would not permit this friend to enter the room until the said friend had declared, that he was neither barrister nor attorney; that the duke had with him an attorney, named Woodham; that your petitioner wished his friend to write down an account of what passed; but, that the duke forbade him to do it.

"That your petitioner could have brought witnesses to prove that he ought not to pay the penalty for which he was prosecuted; that he demanded to have such witnesses examined; but that the duke refused to suffer him to call such witnesses, unless he would state beforehand what questions he meant to put to such witnesses; that your petitioner refused to do this; and, that, therefore, the said witnesses were not called:

"That, upon your petitioner's entering the room where the duke was sitting as justice of the peace, he was, before any proceedings had taken place, told by the said duke, that, if he uttered one impertinent word, there was a constable in the room to take him to 'gaol or to the stocks:'

"That, thus, threatened in this manner at the outset, deprived of the evidence that he could have called if he had been free so to do, he was, by this said duke, sitting as justice of peace to decide on an information laid by his own servant, and that, too, after this justice's steward had offered a compromise to your petitioner; thus, under these circumstances, was your petitioner convicted in the penalty of *5l.* for being in pursuit of hares on his own farm, on which these hares feed, and where they do him damage yearly to the amount of from 30 to 60*l.*; and this, too, while your petitioner has to pay a part of those county-rates and those poor-rates which are occasioned by the prosecutions and punishments for the preservation of game:

"That your humble petitioner has heard much talk about the liberty and property of Englishmen; but that, to his plain understanding, a state of slavery so complete as that in which he has the misfortune to live, cannot be found in any other country in the world; for, though the ingenuity and caprices of tyranny are infinite, he believes, that in the utmost wantonness of insolence, it never before compelled a man to pay rates for the preservation of animals that eat up his crops; to do this because those animals afforded sport; and to submit to punishment for attempting to partake in that sport:

"That, while your petitioner was thus treated by a duke justice of the peace, two parson justices treated him in the following manner:

"That on the 10th of this instant month of April, a servant of the duke of Buckingham, having three dogs with him, entered the land of your petitioner; that your petitioner demanded his name, which he refused to give, and refused to give any account of himself whatever; that your petitioner told him, that, unless he told his name, he would take him before a magistrate; that he still refused; that your petitioner then took him by force, and conducted him to the house of the rev. Robert Wright, a justice of the peace, at Itchen Abbas, about two miles from the spot where the trespasser was seized; that the said rev. Robert Wright, refused to hear the complaint of your petitioner, saying, that he would not hear it till the next day, and then at Winchester, where his clerk was; that your petitioner went the next day to Winchester, and that then the rev. Robert Wright still refused to hear your petitioner, and told him he must come to the bench at Winchester the next day; that your petitioner went to the bench, where the rev. Edmund Poulter presided, and Mr. William Neville; that your petitioner now found that he was to be treated as a criminal instead of as an injured party; that the servant of the duke was permitted by those justices to swear an assault against your petitioner, and your petitioner was actually bound over accordingly; that your petitioner remonstrated against this, and appealed to the act of parliament, passed in the first year of the present king's reign, and being the 56th chapter of that year; that your petitioner showed the said justices, that agreeably to the third section of that act, he was fully authorised to seize the said servant and to take him before a justice; that, notwithstanding this, the said justices compelled your petitioner to enter into recognizances as aforesaid, on pain of being sent to gaol; that your petitioner demanded that his complaint against the duke's servant should be first heard, seeing that he had been the first complainant, and had been compelled to go so many miles backwards and forwards, and to lose so much time on the business; but that the said justices persisted in refusing to hear the complaint of your petitioner, until after they had heard the servant of the duke and had compelled your petitioner to give bail:

"That, when this had been done, the said William Neville quitted the bench, leaving the said rev. Edmund Poulter, and the said rev. Robert Wright on the bench; that your petitioner then applied to these two justices for redress against the said servant of the duke; that they heard his complaint; but that they refused to decide at that time, and put off your petitioner again until the next Saturday; that your petitioner, wearied with journeys on account of this business, and seeing no hope of obtaining redress, resolved to appear before these justices no more, and to lay a statement of his case before your honourable House.

"Your honourable House need not be reminded, that the act just mentioned, of the first year of the king, was passed expressly for the insuring of "a more summary mode of repressing and obtaining satisfaction for damages done to land," &c. When, therefore, your honourable House shall have duly considered the conduct of the said rev. Robert Wright and Edmund Poulter, the delays, the procrastinations, the trouble and expense of your petitioner, and especially the binding of your petitioner over for the assault, though the very oath on which that bail was demanded proved that your petitioner had not been guilty of an assault, but had acted in strict conformity to the law; when your honourable House shall have duly considered these things, your petitioner will not doubt of your disposition to cause justice to be done to him.

"Your petitioner, pledging himself to prove the above alleged facts at the bar of your honourable House, if you will be pleased to permit him so to do, most humbly prays, 1. That you will be pleased to permit him to produce such proofs at your bar. 2. That you will so alter the game laws, as to enable all occupiers of land to kill any wild animals on the land they occupy; that you will take out of this code the punishment of death and transportation; and that, at any rate, you will cause the expense of punishing poachers, and of keeping their wives and children, to be borne exclusively by those who prosecute them. 3. That you will be pleased to pass a law to prevent ministers of the Church of England from being justices of the peace; and for preventing any justices from acting as such under the game laws, where their own servants are the informers and witnesses.—And your petitioner will ever pray."

Sir *T. Baring* bore witness to the high character of the two clerical gentlemen of whom the petitioner complained.

The Marquis of *Chandos* described the petitioner as an unqualified person, who had been allowed to join in the sports of coursing along with those who were qualified, and who had been proceeded against, only because he had gone with other unqualified persons.

Mr. *Sumner* said, that he thought the petition should not be allowed to be brought up [Murmurs]. His reason for saying so was, that the law had provided sufficient means of redress for the grievance complained of, through the jurisdiction of the courts.

Mr. *Ellice* said, he could not understand the grounds of the hon. member's objection. The petition was most respectfully drawn up, and complained not alone of the specific injury sustained by the petitioner, but also of the operation of the laws under which he had suffered.

Mr. *Wynn* said, that if the petition had been confined to a complaint against the conduct of the magistrates, for which there was a remedy given to the petitioner by appeal, under the statute, to the quarter sessions, undoubtedly the practice of the House would warrant an opposition to its being brought up. But, as it also prayed for an alteration of the laws, it ought to be received.

Mr. *John Williams* considered the denial to follow game on a man's own grounds a grievance to the people of this country, and a manifest invasion of the rights of property. He trusted the whole of the Game laws would undergo a complete revision.

Mr. *Hume* stated it as his belief, that there was not another man in the country, who, being a judge in his own cause, would have acted as the duke of Buckingham had acted. The petition was another proof of the impropriety of placing clergymen in the commission of the peace. In one or two of the counties of England it was a very wise proceeding of the lord lieutenants not to recommend clergymen to the magisterial office, and the result was, that those counties were free from those broils and disagreements, which existed where the practice was different.

Mr. *S. Wortley* and colonel *Wodehouse* both differed from Mr. Hume, as to the propriety of placing clergymen in the commission of the peace. They knew that the most beneficial effects, particularly to the poor, had followed such magisterial appointments.

Ordered to lie on the table.

PENITENTIARY AT MILBANK.] Mr. *Grey Bennet* after a few observations on the extraordinary diminution that had been made in the quantity of food apportioned to the prisoners in the Penitentiary at Milbank, and on the evil effects of straitened diet, in producing premature mortality, amongst the prisoners, moved, "That there be laid before the House, a copy of letter dated March 1822, from Mr. Hutchison, to the committee of the general Penitentiary, on the subject of dietary:—of Report of the 2nd January 1823, on Mary Brenton's death:—of Report, in January 1823, on the state of the prison:—and, of Letters of the 8th and 19th of April."

Mr. *Holford* vindicated the conduct of the committee, and stated the readiness with which they had applied to proper medical persons, as soon as doubts had been entertained respecting the nature of the disease with which the prisoners were afflicted.

Sir *J. Yorke* complained of the dismissal of Mr. Hutchison, the medical attendant of the establishment.

Mr. *W. Courtenay* said, that that gentleman's dismissal had been occasioned not by any opinion of his want of skill, but by the want of temper which he had displayed in his communications with the committee.

Mr. Secretary *Peel* deprecated any imputation upon the conduct of the committee, to whose gratuitous exertions the public were highly indebted. With respect to the dismissal of Mr. Hutchinson, it met with his decided approbation.

Alderman *Wood* expressed his opinion, that the swampy nature of the ground on which the Penitentiary was built was one great cause of the mortality that prevailed in it.

Mr. *Peel* said, that the medical men did not attribute the disease to the situation on which the prison was built,

The motion was agreed to.

HOUSE OF LORDS.

Monday, April 28.

MILITARY AND NAVAL PENSIONS BILL.] On the order of the day for the third reading,

Lord *King* said, that a more foolish

measure had, he thought, never been introduced into parliament. It was, it seemed, intended to complete the bill which was brought in last year. That bill was not understood in the city. It had been to the Jews a "stumbling block;" and certainly to the ministers "foolishness." The effect of this bill would be in any case to give an advantage to the Bank. Particular eras required specific designations. Some were called years of scarcity; some years of improvement; but this might be called the year of dupery; for ministers had, in the course of it, been duped both by the Bank and the Bourbons. If the principle of the bill were good, why not carry it further? Why should not ministers borrow ten millions a year from the Bank, and defer the payment? That would be pushing the principle a little further, and would surely afford a great present relief. To show its merit properly, he would conclude by moving, that, after the word "whereas," the following words be added, "the present generation and posterity may derive great benefit from extending the principle of the aforesaid act, wherein the principle of a sinking-fund is properly sustained by combining the same with the system of loans, be it enacted, that the lords commissioners of the Treasury may have power, in order to increase the revenue, to raise from the Bank any sum not exceeding ten millions a year, for the period of a hundred years, by the sale of deferred stock, the interest to commence from April 1923." [A laugh.]

Lord *Bexley* said, he had no objection to the noble lord's practical joke against the bill, as it was a proof that no substantial argument could be urged against it. He contended, that the bill was both equitable and expedient. Together with the burthens imposed upon posterity by the bill, would be bequeathed a peace founded on the acknowledged ascendancy of the British arms and councils. He contended, that the arrangement with the Bank was made with a due reference to the advantage of the public. The Bank undoubtedly took the chance of events; and he would ask noble lords opposite whether there was such a certainty of the continuance of peace, as to make this undoubtedly a good bargain for the Bank?

Lord *Ellenborough* thought the Bank had overreached ministers in this transaction. The noble lord who spoke last, had expressed his hope, that the peace, founded on the ascendancy of the arms and councils of this country, would last so long, that we should reap a sufficient equivalent for all our exertions and expenses; but, though the noble lord had thus spoken of peace as if it were to be preserved for an indefinite length of time; he had put a question to that side of the House which showed that he had no confidence in its continuance.

The Earl of *Liverpool* said, that the real question was, whether the terms were such as the government ought to have made; and on that point he would observe, that they were the same as had been offered by government in the last year, and the noble lords opposite would allow that the continuance of peace was as likely then as now. On an average of years, it appeared that 4 per cent. was the fair rate of interest. He contended, therefore, that the arrangement was a perfectly equitable one.

The Marquis of *Lansdown* contended, that this was a measure which could not be advantageous to both parties, unless the government were prepared to show that they had overreached the Bank, it could not be advantageous to the public. The *gravamen* of the objections to the bill was, that it did with one hand what it counteracted with the other.

The amendment was negatived, and the bill passed.

HOUSE OF COMMONS.

Monday, April 28.

Petition of George White.] Mr. *Hume* presented a petition from a surveyor of taxes, named White, complaining that he had been dismissed, without due cause, from his situation. Mr. White, the hon. gentleman said, had been a public servant 29 years; nine years as a confidential messenger to the late Mr. Pitt, and the rest of the time as a collector of taxes. He was now, without having committed any offence, and merely upon the strength of an anonymous letter, written to the Board of Taxes against him, deprived of his office, and consequently of his livelihood. This sentence of the board had been confirmed by the Treasury; no opportunity being afforded to him of making his defence. The truth was, that Mr. White had made himself unpopular by detecting certain frauds in the collection of the land-tax, which had taken place within his division. The existence of those frauds was fully demonstrated by papers on the table of the House; but the discovery of them was thus, in an underhand way, to be visited upon the petitioner. He had examined the petitioner's case very narrowly, and thought it one of great hardship.

Mr. *Lushington* said, that the credulity of the hon. member had been grossly imposed upon. The petitioner had been dismissed upon the fullest inquiry, with means of defence allowed him, and in despite of a feeling entertained in his favour, on account of his long services. The offence which had made his dismissal necessary, was this: being himself a surveyor of taxes, he had made a return contrary to law, as to the windows of the house which he occupied.

Mr. *Hume* said, he was prepared to meet the whole complaint against the petitioner. The act which had been construed into a fraudulent return, was only the stopping up some windows in his house with wood-work instead of filling them with brick. This was not an offence to dismiss a man for after 29 years' service. The real offence was the petitioner's having exposed certain frauds.

Ordered to lie on the table.

NEGOTIATIONS RELATIVE TO SPAIN.] Mr. *Macdonald* rose to make his promised motion. He began by saying, that no one, he apprehended, could entertain an expectation, or desire that communications of such momentous importance as those which had lately been laid, by his majesty's command, before both Houses of Parliament, and which had by this time found their way, as he hoped, into the hands of all his majesty's subjects, and which, if he mistook not, contained matter which would make them cling with redoubled zeal to those principles which they had previously avowed—no person, he thought, could desire that such papers should remain longer on the table of that House, unnoticed and unacknowledged. It might be well that they had not proceeded until the warmth of public feeling had in some degree abated; it might be well that they had delayed the expression of their opinion until they had recovered from the impression of their first feelings on reading matters from which their hearts so totally revolted—feelings of surprise and disgust which could never be entirely removed, though the papers were to lie before them until the dust covered them—feelings which could never wholly abandon them, as long as the people retained the name or the affections of Britons. He stood forward, though surrounded by many honourable friends, much better qualified for the task, to invite from the House an expression of the sentiments of the people of England, with regard to the recent negotiations, and to implore them to give effect to those sentiments, promptly, frankly, and fearlessly. They had arrived at one of those peculiar periods in a nation's affairs, when wisdom and sound policy required of them to review the past conduct of the government, and look well into their present condition—to see whether they had not placed themselves—to use the expressive language of the duke of Wellington—"in a false position; whether their influence and situation were those which they wished to possess, which before now they did possess, and which they still might and ought to possess, relatively to the other powers of Europe; or whether they had lost or departed from that station, and if they had done so, to what causes the change was to be attributed.

The House would, perhaps, allow him briefly to recall their recollection to the circumstances which had brought the country into the situation in which it at present stood. The war which commenced in 1793, and terminated in 1815 had driven the country from its natural situation, and had left it associated with all the despotic governments of the continent. He had nothing to say now upon the policy or the objects of that war. Differing from many upon the question with regard to the necessity of going into that war, he might for the sake of argument allow, that the policy of that war could not be called in question. But would that lead him to concur with M. de Chateaubriand, that the present interference of the French with Spain presented a case of the same nature as that which had in 1793, provoked the interference of the English government? The slightest reference to the authentic records of that period would lead to a directly reverse conclusion. This reminded him of the memorable words of a right hon. gentleman pronounced in that House, during the last war:—"I fear the enemy less than our allies: do not deceive yourselves: you do not mean the same thing: you are engaged for the protection of the liberties of nations; but your allies against liberty itself. In the progress of that war, if there had been a period which united the hearts of all persons in this country, it was that period when resistance to French tyranny in Spain began. The people then said in effect—"Whether the Bourbons or the Buonapartes prevail—*Tros Tyriusve*—is, comparatively, of small importance to us; but the neck of free Spain shall not become the footstool of the French monarchy." The war ended, and he wished he could say that the French people had been restored to the enjoyment of their liberties. But that he could not say, so long as they were without a free press. We had, however, by our bayonets, twice replaced the Bourbons upon their tottering throne. But that which followed was scarcely less afflicting than the circumstances of the war. Then succeeded a scrambling for territory; a cutting and parcelling out of lands and people, to make way for the families of the ancient monarchies, which had disgusted mankind. We were, unfortunately, too much mixed up in these proceedings to escape a share of the obloquy which fell on the continental governments upon that occasion; and so long as the names of Genoa, and Saxony, and the Italian republics were remembered, so long must this reproach continue to be applied to it. Peace, after such a war, should have been founded on lasting principles; but, instead of that, it had been founded on principles which laid the foundation of future wars. In time of peace, large armies were kept up by other powers, and this country, instead of discountenancing the practice, had unhappily followed the example. We had lost sight of our avowed principles, and had accepted, instead of a rigid compliance with them, the professions of our allies. And what professions? Professions given by those who had partitioned Poland, and who were parties to the spoliations which had terminated in the treaties of 1814. And why did he state these circumstances at the present moment? He did so, for the purpose of showing, that this country did not stand in the predicament of Cæsar's wife—that our conduct towards the weaker states of the continent had been more than suspicious; that we had too long connived at the iniquitous aggression of the powerful over the weak; and that, therefore, we could not afford to let so favourable an opportunity escape for righting ourselves in the opinion of the world, as that which the interference of France in the affairs of Spain afforded.

One word he would state in the beginning, as to the freedom of the constitution of Spain. Let no man remain under the erroneous impression, that the constitution which was given to Spain in 1812, was founded on some vague, crude, abstract principle. It was no such thing. The constitution adopted, was the ancient constitution of Spain. He did not stand there to argue its merits or demerits, or to pronounce decidedly its aptitude to the state of modern society. But there never was, perhaps, so limited a monarchy as that of old Castile: and so it had continued until the union of the crown of Arragon and Castile, when, from the corruption of the Cortes itself, the liberties of the people were subverted. That was the constitution which Spain had re-established; and, with the necessary precaution of providing against those vacillations, to which all governments, the effect of revolution were subjected, in the period of their organization, it was determined, that its basis should undergo no alteration for the space of eight years. The allied powers seemed to vie with each other in expressions of delight and rapture at the state of the Spanish affairs, and of compliment to the Spanish government, The autocrat of all the Russias could scarcely control his expressions. He baptized the constitution by that one emphatic word, which, with him, implied the greatest excellence —which was his all in all—he pronounced it to be "legitimate." In the year 1814, Ferdinand was reconducted to his throne by his people; and the first act of his gratitude and love to those who had made so many sacrifices on his behalf, was to overthrow the constitution which they had established; and he, the slave of bigotry and monks, had proceeded to exile and incarcerate, nay, to execute, those who had laboured most for the liberation of that country which he had betrayed. In 1820, God be thanked! that fabric of tyranny which he had constructed, fell; Portugal followed the glorious example of Spain, and the peninsula was free. It was not to be expected that a country which had so long groaned under the double thraldom of despotism and priestcraft, should at once, in the first moment of its regeneration, settle into a calm; that it should not be disturbed by the factious murmurings of those, whose interests were effected by the new order of things. Still, in point of fact, the resistance, under the circumstances, were comparatively slight, until France—he would rather say the French government—recurring to their most detestable policy, of fomenting divisions by their money and their intrigues, contrived to bring up something like a show of it upon the frontiers of Spain; and, though nothing occurred there but that which was the immediate result of French agency, she had the effrontery to charge this as a crime upon the people whom she had thus wickedly injured. In 1820, the emperor of Russia, "far as the Poles asunder" from the territory of Spain, having gained some new lights on the subject—God defend us from his northern lights!—bethought himself of interfering in the concerns of that part of western Europe. In consequence of that manifestation, the late lord Londonderry had addressed a confidential communication to the four allied courts; many parts of which—for it was a very unequal production—did him great honour. The Russian emperor, finding that his proposition was not warmly received, apparently renounced it. Thus affairs stood, until the menaced aggression against Spain at the congress of Verona.

It would, perhaps, be as well, that he should here revert at once to those divisions which were alleged to exist in Spain, with reference to the new order of things. From all that he had been able to collect from the most likely sources of information, he did believe, that a most malignant exaggeration had been put forth with regard to the existing dissentions amongst the Spanish people. Divisions did, unhappily, exist. But, in what country that had ever undergone a revolution did they not exist? How could revolutions be without them? Was our own revolution effected without divisions? Was it accomplished until after two civil wars? But as to any actual division of the Spanish people, what colour or pretext existed for affirming it? Taking, therefore, the two halves of the Spanish population, and how did the account stand? In favour of the constitution was the whole of the landed interest, the whole of the commercial, all the liberal professions, all the knowledge, science, and character of Spain. On the other side stood opposed a knot of bigotted nobles, the whole body of the priesthood, and that portion of the ignorant peasantry who were mere instruments in the hands of the former. In such a contest, unaffected by foreign violence and intrigue, where was the moral, the real equality? The right hon. secretary of state in his speech on a former occasion, seemed to anticipate objections to the conduct observed by his majesty's government in the course of the late negotiations, only from two descriptions of opponents; either those pugnacious individuals who would have made no other answer, but by striking a blow; or those who would menace war, but would not make it. It would, indeed, be fortunate for the right hon. secretary, if, out of the documents before the House, he could secure himself from no other opposition, than what was comprehended in that alternative. But, had the right hon. secretary never heard of the station which Great Britain held, and ought to hold, in the affairs of Europe? Had he never heard of the weight and authority, which, in former times was attached to her just representations and remonstrances? Could he not imagine to himself the influence which such a course of proceeding must have had in arresting the wicked career of a wrong-headed ally, indebted to this country for his very existence? In dealing with such a government, was there no alternative, but immediate war or cold-blooded neutrality? That alternative he had now to meet; and on the propriety of its adoption, it would be his duty to take the sense of the House of Commons. The charge against his majesty's government was, not that they had not precipitated Great Britain into a war, but that they had not interposed the weight of her character and influence, in the right quarter, and at the right season, with the almost certain prospect of preserving the general peace of Europe; that they had sacrificed the certainty of avoiding war, to some chimerical apprehension of having the war thrown upon us immediately, though with the imminent peril of being dragged into it hereafter. To that apprehension they had sacrificed the dignity and character of the nation, and had exhibited us to Europe, as the object of its ridicule and contempt.

The proceedings naturally divided themselves into three parts; namely, the proceedings at Verona, the proceedings at Paris, and the proceedings at Madrid. The right hon. gentleman opposite had said, it would surprise the House to hear, that our plenipotentiary, when he left England, did not know that the affairs of Spain were to be submitted to the congress. But the House was more surprised to find that, for two years and a half, our government had been totally ignorant of all that had passed between Spain and France—and that too, while we communicated to the French government all that passed between us and Spain. He wondered whether ministers were equally ignorant of what had been going on between France and Russia with respect to Spain? If he had not had this fact under the hands of his majesty's ministers, he should have supposed that this was a gross libel on the late marquis of Londonderry, and a bitter satire upon the whole of the government. The duke of Wellington, however, arrived at Paris. When he reached that place, his grace was informed by M. de Villèle, that it was the intention of the French cabinet to put certain questions to the representatives of the four powers at the congress, in order to learn what part they would take, supposing a war to break out between France and Spain. The duke of Wellington, in consequence of this information, told M. de Villèle that he could not give him any answer, and that he could not say either yes or no to the proposition which was made to him. The duke of Wellington accordingly wrote home, and asked of the right hon. secretary opposite, not only what line of conduct he should follow, but also what arguments he should use, in case these questions were again put to him. The right hon. gentleman, it was only doing him justice to admit, did not pretend to misunderstand the hypothesis of M. de Villèle; for he immediately gave the following answer to the noble duke:—"If there be a determined project to interfere by force or by menace in the present struggle in Spain, so convinced are his majesty's government of the uselessness and danger of any such interference—so objectionable does it appear to them in principle, as well as utterly impracticable in execution, that when the necessity arises or (I would rather say) when the opportunity offers, I am to instruct your grace at once frankly and peremptorily to declare, that to any such interference, come what may, his majesty will not be a party." He (Mr. M.) could not help thinking, from the pompous manner in which this sentence commenced, and the lame and impotent manner in which it concluded, that it was a good specimen of the "*Parturiunt montes.*" That was the sum total of all the instructions which the right hon. secretary had given; and from the perusal of those meagre lines, began his (Mr. M's.) misgivings, as to the conduct of the negotiations, and his disappointment at their final result. What! when the enormity of such a crime as France was then contemplating was brought, and unexpectedly brought to his mind—when the magnitude of the peril, not only to Europe in general, but to this country in particular, was forced upon his sight, could the right hon. secretary say nothing more than "to any such interference, come what may, his majesty will not be a party?" Really, he should have expected from the right hon. gentleman something more satisfactory than such a phrase; he should have expected to have heard him say to the duke of Wellington, "Lose not a moment in deprecating so wicked and monstrous a proposition; hesitate not to make a declaration to M. de Villèle that you consider it a violation of all the most sacred principles of international law; and that you look upon it as an infringement on all the rights of independent states: tell him at once, that you feel it to be repugnant to every consideration of justice and of sound policy: and, above all things, inform him, that not only is the scheme one to which his majesty will not be a party—not only is it one at the execution of which he will not connive—but that it is also one of such extraordinary crime, that he will be compelled, by every means in his power, to disclaim even the suspicion of having any the slightest connexion with it." He should likewise have expected to have heard the right hon. gentleman say, "Let all your exertions be directed to negotiating at Paris upon this point, where you will only have the French ministry to contend with; and, at any rate, do not pretend to shelter yourself under a doubt as to the intention upon which they are acting. Remind them—for this is a point on which delicacy must give way to the important interests that are at stake—remind them of all that England has done for the Bourbon family, and show them how little you are asking of them in return, when you are only desiring them to abstain from the commission of wrong. Should they remind you of the engagements with which

England is bound to maintain that family on the throne, tell them, that if the independence of Spain is any longer threatened, those engagements must be considered at an end. Bring it to their recollection, that the continental engagements of England were made with a view of securing the rights and privileges of mankind, and of contributing to the peace and happiness of the world; that if she were frustrated in effecting that object, she would retire within herself, and that the king of England, free as air to separate from the future projects of the Bourbons, would consider himself accountable to his people, and to his people only, for any subsequent measures that he might think it expedient to take." Instead of acting in this manner, the duke of Wellington, wholly uninformed, and only half-instructed, as the House would see, set out from Paris for Verona. He contended, that to have attempted nothing in the way of negotiation at Paris was the first error that had been committed; and that the next—though on that point he did not speak so confidently as on the first—was to have gone to Verona at all under such circumstances.

He now came to speak of the Holy Alliance. He did not know whether it might not be expected of him to approach the august members of the congress with feelings of awe and reverence. He would willingly do so, when he saw them, kings as they were, recollecting that they were also men—when he saw them treating those over whom they reigned, not as things, but as men—when he saw them taking delight in promoting instead of destroying the happiness and freedom of their subjects, and turning all their powers to the amelioration, instead of the degradation, of human society. Then, indeed, would be the time for a free-born Englishman to kiss the hem of their imperial purple. But, until that time arrived, and until he observed them desisting from the pursuit of objects that were hostile to the liberty and moral dignity of man, he would designate them by words which, however unpalatable they might be, they must still submit for some time to hear in an English House of Commons—he would call them, what their conduct proved them to be, a confederacy of tyrants, and tyrants of the very worst description. The right hon. secretary opposite, in his speech the other evening had thought it necessary—and he (Mr. M.) could hardly see the reason why—to vindicate his appointment of sir W. A'Court to the post of ambassador at Madrid. In doing so, he had allowed a curious fact to slip out. It appeared, forsooth, that now-a-days the ministers of foreign powers knocked at the door of the foreign office, to question the appointment of a British minister, not to their own courts, but to the courts of another, and that, too, an independent nation. He was rather inclined to believe, that their objection was not so much to the individual who was sent upon that mission, as to the sending of that mission altogether. With the selection of the duke of Wellington for the office which he had filled at the congress, he was not inclined to find any fault, provided the part assigned to him had been a proper part to play. He knew that there were some individuals who thought that he was too much mixed up with the allied sovereigns and their designs, to be a fit person for conducting such a negotiation: but did he not, covered as he was with badges of honour and distinction, most of them gained in consequence of his achievements in Spain — did he not present a living proof, not only of what had been done, but of what might be done, on Spanish ground for Spanish freedom? [Hear.] He would say, that considering the part which was assigned to the noble duke, it would have been better if some individual, obscure and undistinguished, had been sent to Verona to perform it. The right hon. secretary had warned them not to expect any display of diplomatic finesse and artifice, in the productions of the noble duke. He would tell the right hon. gentleman, that no such display of finesse or artifice was wanted. Plain speaking, frankness, decision—these were the qualities that were wanted for such a mission. Could it be, that the coldness of the cabinet at home had paralysed the exertions of the noble duke at Verona? Could any man who had read the papers on the table, doubt, that if the noble duke had carried into that august conclave of despotic power, a portion of the great qualities which he had exhibited elsewhere, he would have prevented that massacre which was now perpetrating on the inhabitants of Spain, because they had dared to publish to the world that they were free, and that they were determined, cost what it would, to remain so? On the arrival of the duke at Verona, the queries which

M. de Villèle had suggested at Paris were again put to him. And to what did they amount but this—"If we go to war with Spain, what support are we to receive from you?" Nay, the very object of the war was stated in them; for it was said to be contemplated, in order "to strike a salutary dread into the revolutionists of all countries." But what was the solution which the duke of Wellington himself put upon them? He would tell them in the duke's own words:—"On the 20th of October, the French minister gave in a paper, requiring from the ministers of the allies to know, whether, if France should be under the necessity of withdrawing her minister from Spain, the other allied powers would do the same? In case France should be involved in war with Spain, what countenance the allies would give the former? And in case France should require it, what assistance? Was not this the very same solution which M, de Villèle had previously given? And should not, as soon as the questions were proposed, the British plenipotentiary have furnished a direct and unequivocal answer? He would maintain, that it was the bounden duty of the British minister to have stated, in the most decisive terms—"This must not be: Spain is not at your bar: the treaty of Aix-la-Chapelle binds you to give notice to any power to attend, into whose situation, internal or external, you are going to inquire." And now he must be permitted to ask, why had not this been done? It had not been done, because, forsooth, the duke of Wellington could not see that the questions related to the invasion of Spain by France: he, good easy man! supposed that they alluded to the invasion of France by Spain; and in consequence, thought it fit to give the French government a ray of comfort. He told the French government, that he did not apprehend that Spain had any notion of invading France—"A review of the obvious circumstances of the situation of France, as well as Spain, will show, that whatever may be the tone assumed towards France by the ruling powers in Spain, they are not in a state to carry into execution any plan of real hostility." And again, "Even revolutionary madness could not calculate upon the success of a serious attack by Spain upon France, under any circumstances which it is possible to suppose to exist at present in the latter kingdom." This ignorance, however, of the duke of Wellington appeared to be all got up for the occasion; for, in a few days afterwards, he was found to be drawing very nice distinctions indeed between the internal and the external quarrels of Spain. None of the allied powers even pretended a doubt as to the meaning of the questions. They said at once clearly and distinctly, "We will assist you, if you go to war." And, what did M. de Chateaubriand himself say? Let the House attend. "The cabinet of the Tuileries have not forgotten, that the principal motive alleged by his grace the duke of Wellington at Verona, for not explaining himself upon the *casus fœderis*, was, the ignorance of his government of the transactions which had taken place between France and Spain, from 1820 to 1822." What a disgrace was it to government to have such a fact publicly stated on record! M. de Chateaubriand went on—"That objection was removed at the congress, as it will be here, by the single observation, that the grievances of which France might have to complain, on the subject of the Spanish revolution, were, unfortunately, of public notoriety."

Now, after this declaration, he wished the House to observe the extraordinary view which the right hon. secretary opposite had taken of these transactions, in his speech of the former night. The right hon. gentleman had said, that "when the propositions of the French government were first brought forward, they were not directed to a hostile object, but that they were in their nature purely defensive, conditional, and hypothetical;" and again in his despatch to sir C. Stuart of the 31st March, he had called them "contingent and precautionary, and not in their nature offensive." Why, in the name of God, were they to be considered hypothetical? If one man said to another, "If I do so and so, what will you do?" and then took measures to do the very thing he mentioned, true it was, that the question was in its nature hypothetical, but it was still intelligible, and required a very intelligible answer. Never, no never, since England had been a country, had such an overture been made to her, or when made been misunderstood. Let the House imagine how a minister of queen Elizabeth, or even of queen Anne, would have received such an overture! Let them imagine how the Burleighs, the Godolphins, the Somersets, or the Chathams would have listened to it! He thought that lord Burleigh would have done something more than shake his head upon such an occasion; though all admitted, that there was something very significant in a shake of the head from lord Burleigh. But of our late plenipotentiary, it could hardly be said, that he had even done so much as shake his head upon it. For what did his grace of Wellington say?—"Without adverting to those principles which his majesty's government must always consider the rule of their conduct, in relation to the internal affairs of other countries, they considered, that to whatever degree either the origin of the Spanish revolution, the system then established, or the conduct of those who have since had the management of the internal affairs of Spain might be disapproved of, any amelioration which might be desired in the Spanish system, for the sake of Spain herself, ought to be sought for in measures to be adopted in Spain, rather than abroad; and particularly in the confidence which the people should be taught to feel in the character and measures of the king." The confidence the people should be taught to feel in the character of their king! In very truth, he did not envy those individuals who should have the trouble of teaching such a lesson to the Spanish nation. But the noble duke proceeded — "They considered that an interference, with a view to assist the monarch on the throne to overturn that which had been settled, and which he had guaranteed, or to promote the establishment of any other form of government or constitution, particularly by force," [he wished the House to mark those words], "would only place that monarch in a false position, and prevent him from looking to the internal means of amelioration which might be within his reach."

Unfortunately, however, this veil of ignorance, this fine web of sophistry, was destined to be torn asunder a little more rudely than was expected: for forth came the thundering and never-to-be-forgotten declaration of the holy alliance. On those productions, as an hon. and learned friend of his (Mr. Brougham) had done them so much justice—as he had dissected them with so skilful and masterly a hand—as he had laid bare each nerve and artery of folly contained in them, and had pointed out in the most inimitable terms their mingled falsehood, insolence, and hypocrisy—on those productions he should not make more than a single observation. Though couched in different language, the object of them all was uniformly and precisely the same. The Russian note stated, that it was necessary that the king should be restored to personal liberty, and should be intrusted with "the means of putting an end to civil war, of preventing a foreign war, and of surrounding himself with the most enlightened and the most faithful of his subjects, in order to give Spain those institutions which her wants and her legitimate wishes require." As if this was not sufficient to shock the mind of every enlightened man, the note went on—"It only remains for the other portion of the Spanish nation to unite cordially with their king to deliver Spain, to save it, to assign it in the great European family a place"—The reward was undoubtedly great; if Spain would consent to give up her liberty to these haughty despots, and to her own would-be tyrant, the members of the holy alliance, in their kindness, would allow her a place in the great European family! But, to recur to the note—"to assign it in the great European family a place, so much the more honourable, because it would be snatched, as in 1814, from the disastrous triumph of military usurpation." The same, too, were the terms of the Austrian note. Spain was promised, that if she would permit the old tyranny to be once more established within her limits, she would be restored to those relations which united her to the European powers. Now, he would ask, did language so monstrous, and so utterly beyond all endurance as this, remove the film which obscured the noble duke's sight? That question would be best answered by looking to the language which the noble duke himself had afterwards thought proper to assume. The right hon. gentleman opposite had made it matter of praise and commendation that the language of the noble duke had been of the same tendency on the last as it had been on the first day of the negotiation. Now, instead of considering that circumstance as a matter of praise, he considered it as a matter of strong complaint against the noble duke. What! was his language to be the same when he was acquainted with all the horrors of the scheme that was in agitation, as it was when he was ignorant of any of its atrocities? Surely, no man would be found to maintain so absurd a proposition! But in point of fact, the language of the noble duke had not been the same at the conclusion and at the commencement of the negotiations. There was this difference in it—that towards the conclusion of them, and when every thing they did proved that they were unworthy to receive any compliments, the noble duke filled his state papers with compliments to the allied sovereigns. He had now stated generally, what the dignity, the influence, and the character of Great Britain had called for at the hands of the king's ministers. In answer to this, he should be told, that such a course left no alternative but war. But, after all, it was a balance of chances. The right hon. secretary had given the chance of ultimate war with national discredit. Better, then, he would say, would have been the chance of immediate war with the nation's honour and character untarnished. That was not, however, the necessary result of a becoming and manly policy. The belief of almost every impartial man was, that if the British government had acted upon principles less equivocal, the peace of Europe would have been preserved. But even if the French government had, under such circumstances, felt disposed to take umbrage, so long as Great Britain sustained her dignity he would have cared little for that umbrage. He felt as sensibly as any man who heard him, could do, the expense that her exertions had already entailed upon her. He was deeply sensible of the necessity of recruiting those resources which she had lavished for the rescue of Europe; but he, nevertheless, felt that she had not lost so much as to have incapacitated herself from still taking that part in the affairs of the world, which became her station and her character. For her there was left open a plain and distinct line of conduct to follow. Under these circumstances, and in an emergency confessedly of the most interesting nature, it could not but surprise the reader of the correspondence on their table, to find, that the first thing that the British government was occupied with, was in placing in the hands of the French cabinet the offer of his majesty's mediation. Now, supposing for a moment that this was a case which admitted of mediation—and he fully agreed with M. de Montmorency that it was not—still, had we not lost the best opportunity for offering it? He should not refer to M. de Villèle's sending a messenger to Verona, to express the desire of the French government that the transmission of the despatches to Madrid should be suspended, with any view of building an argument upon it. It might be, and very likely it was, a mere trick on his part; but, if it were not so, he called upon the House to observe the uncertain and vacillating state of the French ministry, and then to judge, what might have been done by this country, supposing the representations of the British government had been properly pressed upon it by the duke of Wellington. He particularly called the attention of the House to the statement of M. de Montmorency. Speaking of the French king, he said, "But his majesty could not but feel that the situation of France with regard to Spain, was not of a nature to call for a mediation between the two courts. In fact, there exists no difference between them, no specific point of discussion, by the arrangement of which their relations might be placed on the footing on which they ought to stand. Spain, by the nature of her revolution, and by the circumstances with which it has been attended, has excited the apprehensions of several great powers." This despatch one would have thought quite decisive as to our mediation. But, not so; even after its recall the right hon. gentleman used his utmost endeavours to get the court of Madrid to solicit it. In one of his despatches to sir W. A'Court, he had stated, that he was to propose to Spain the mediation of England, in case Spain asked for it. Spain never did ask for it; and yet he had proposed it. A few days afterwards, lord Francis Somerset was sent to Madrid with the duke of Wellington's compliments to his old friends in Spain, and an intimation on his part, that he thought that they might safely give up to the French—not, indeed, every thing; but only the principle on which every thing rested; and to this message was appended some abstract notions of what a king ought to be, and of the duties which he was called on to perform—notions, which he thought his grace would do well to collect into a treatise and to publish, with something like a dedication to the members of the holy alliance. [A laugh.]

What was the next event which occurred? Why, that M. de Chateaubriand, on the 23rd of January last, sent a despatch to the right hon. gentleman, couched in still stronger language than that which had been before used by M. de Montmorency. It stated the following fact, relative to what were called the French king's benevolent intention:—"His most Christian majesty demands, that his Catholic majesty should, of himself, and by his own authority, apply the necessary modifications to the institutions which have been imposed on the crown of Spain, by the revolt of a few soldiers." Even after the receipt of this despatch, the right hon. secretary did not desist. Two or three days after its date, but, as he was in justice bound to admit, a day before the right hon. gentleman received it, he sends another despatch to sir W. A'Court at Madrid, but gives him no further instructions as to his conduct; though events had occurred which seemed to render such instructions necessary. Immediately after all this came the extraordinary Speech of the King of France to his Chambers, and a despatch from sir C. Stuart, giving an account of its meaning and import. Regarding that speech, what language ought he to use in a British House of Commons to designate it justly? Fortunately, he had not to look about for terms to express his detestation of it. The right hon. gentleman himself had sufficiently described its merits, when he said, that it contained principles which struck at the root of the British constitution. Against those principles, Portugal, free and independent Portugal, had had the courage and the spirit to enter her protest. England, however—that England which had been so often styled the nurse and patroness of freedom—took another and a very different course. She pretended that the speech was liable to a double construction; though undoubtedly there was only one which it either bore or suggested. The sentiment which gave most offence in it, was no isolated sentiment; neither was it inconsistent with or contradicted by, any of those which either preceded or followed it. On the contrary, it was the sequel and consequence of all those which had gone before, and early and naturally led to all those which came after it. M. de Marcellus, on the arrival of the speech in England, had carried a copy of it to the right hon. secretary, and along with it a formal and precise demand for the intervention of our good offices with Spain. How was that demand met? Did the right hon. gentleman demand any explanation of the speech? No such thing. He had resorted to his old stratagem of misunderstanding; as if the policy of the British cabinet was, to misunderstand every document that was addressed to it. A new sense was to be furnished for it; not by the individual who had written or delivered the speech, but by the individual who had received a copy of it from the French government. He agreed with his noble friend (lord Folkestone) who had alluded to this part of the conduct of the British government on a former evening, and who, though accused of violence, had only spoken with a warmth of feeling which did honour to him as an Englishman—he agreed with his noble friend, he repeated, in thinking this part of their conduct nothing else than a disgraceful truckling to the French cabinet. A double construction in the king of France's speech! Where, in the name of Providence, was it to be found? Why, if there could be any doubt as to the meaning of the Speech, it was entirely dissipated by the construction which M. de Chateaubriand had put upon it himself, and which was to be found in sir C. Stuart's despatch of the 28th of January. "Under these circumstances," says sir C. Stuart, "M. de Chateaubriand added, that the king was compelled to assume a decisive tone in his discourse to the legislative bodies; and that in announcing the cessation of the diplomatic relations between the two governments, it was necessary to show that they could not be re-established until the origin of the mischief, with which the Spanish revolution menaces neighbouring countries, had been removed; by assimilating their institutions to those of other limited monarchies, under an act on the part of the king of Spain declaring the constitution to emanate from the crown." When such was the state of the case, why was the British government to go crawling to the cabinet of the Tuilleries with a tender of a double construction in the one hand, and the bonus of the intervention of our good offices with Spain in the other?

He now came to the last, but by no means the wisest, step in those most impolitic transactions—he meant, to our attempt to force our mediation upon the weaker, after we could not obtain its acceptance from the stronger power. In rejecting our profferred mediation, the language of France amounted to this: she said, "Go to Spain; carry, if you can, by fair means our point for us; if you cannot, we will carry it by foul means for ourselves." It was one thing to mediate, and another to lend our good offices, all on one side. This, beyond all dispute, we had done for France in the course of these negotiations. It was proved unequivocally to be the case, by the documents on the table. "At this moment, January 28, 1823," said Mr. Canning, "for the sake and at the desire of the French government, we are suggesting to Spain, in a tone of friendly counsel, alterations similar to those which France is proposing as the alternative of hostilities." Was he not, he would now ask, justified in the assertion, that we were making a hopeless trial to preserve peace between France and Spain, at the desire and for the advantage of the former power? After this effort came another note from M. de Chateaubriand, and a new version of the king of France's speech; and again we pressed on as before. From the despatch of sir W. A'Court it was, however, quite evident, that there had never been any chance of preserving peace. He knew not how any person could suppose that war could be avoided, when the Spanish minister was distinctly and repeatedly assured, over and over again, that it was the resolution of the allied powers not to tolerate the constitution of Spain, because it offended the Holy Alliance. In speaking on this point, M. de Chateaubriand used words, which purported, that in adopting the line she had done, France had only taken a just and appropriate course. When sir W. A'Court received a copy of sir C. Stuart's despatch to the secretary of state for the foreign department, of the date of the 28th of January, detailing his conversation with M. de Chateaubriand, he immediately proceeded to make known the contents of that despatch to M. de San Miguel. What did M. de San Miguel say on that occasion? He said, what every free-minded, what every honest man would say, "that Spain would never admit that the constitution emanated from the king, nor recognize any other sovereignty than that of the people." But, observed sir W. A'Court, in his despatch giving an account of this interview with M. de San Miguel, "he broke out into general exclamations against the French government." Well might he have indulged in such exclamations, against that government. Was there no other government against the conduct of which he might not justly have broken out into exclamations and reproaches? Undoubtedly there was. But the Spanish ministers did not depart from that consistent dignity, that high-minded propriety, which they had preserved throughout the contest—which was not equalled in modern, and not surpassed in ancient, times. Had they not a right to exclaim against our minister? Had they not a right to censure that false friend, who, with such a paper in his hand, could continue to tease the Spanish government to make some concession? They found, however, that sir W. A'Court still continued that system of teasing, to which M. de San Miguel failed not to make the most spirited answers. So long ago as the 29th of December last, the right hon. secretary had stated to sir W. A'Court, that the object of France, since she had to a certain degree reconsidered for herself the measures framed at Verona, appeared to be, to induce us to concur in her separate and mitigated measure. If, however, the House would look at the correspondence, they would find that, on the 19th of February, sir W. A'Court, speaking of the extract which he had received of sir C. Stuart's despatch to Mr. Secretary Canning, of the 10th February, says, that by that, "he learns, for the first time, the exact concessions which will satisfy France, and engage her to put an end to her armaments." It was true, that, in January, it was proposed by M. de Chateaubriand, to get up a sort of grand melo-drama on the banks of the Bidassoa. Animated, perhaps, by the recollection of his own former exploit in bringing water from the river Jordan to baptise the young Napoleon, the French minister proposed that Ferdinand should be allowed to advance to the banks of the Bidassoa, there to throw himself and the liberties of Spain into the arms of his cousin the duke d'Angoulême, at the head of 100,000 men. Sir W. A'Court, however, denied that he had ever heard any such thing; and he seemed to have been eminently unsuccessful in obtaining any explanation whatsoever on this point. When sir C. Stuart's correspondence was placed in the hands of sir W. A'Court, the latter immediately set off to M. de San Miguel. And, what did he do? From his own statement it appeared, that he read to M. de San Miguel such parts of the correspondence as were most likely to produce a favourable effect. Now, observe the situation in which the Spanish government was placed. This was one friend advising another, and taking on himself, in some degree, the responsibility for the conduct which he might think proper to pursue. But, how did he proceed in the discharge of that duty? He read, not the whole correspondence, but such parts of the despatches as were most likely to produce a favourable effect. Was this fair? Was this language fitting to be held? Could this government be justified in keeping the government of Spain in the dark with respect to its real situation? Was it proper that such parts only of the correspondence between sir C. Stuart and the French government, as were calculated to produce a good effect, as it was denominated, should be laid before the Spanish minister? Was it just that our minister should conceal from him all the other parts? Was that fair? Was it honest? He had no hesitation in declaring, that, in his opinion, there was not an honourable man in the world who would say, that sir W. A'Court was justified in thus keeping M. de San Miguel in the dark, with respect to the real situation of Spain, and the real intentions of France towards her. Sir W. A'Court expressed himself much delighted with what he supposed to be M. de Chateaubriand's proposition for insuring the continuance of peace. But, from what sir C. Stuart said, it did not appear that the proposition was of such a nature as could be entertained. The proposition was contained in these words—"M. de Chateaubriand does not hesitate to admit, that, in order to give stability to any modification of the present system in Spain, and to afford sufficient assurance to France to justify her discontinuing her warlike preparations, the king of Spain must be a party, and consent to such modification." Upon this principle, a change which shall result from a thorough understanding between his Catholic majesty and the Cortes, will be considered to afford some prospect of the modifications which are indispensable to the security of neighbouring states. The French government will not only be satisfied with the opening which any act (such as the establishment of a second Chamber) may offer, to complete, through the intervention of Great Britain, the system which is necessary for the constitutional government of Spain; but, without waiting for any further proofs of the sincerity of the Spanish government, they will consider any such act as affording reasonable grounds for suspending their armaments, and replacing the relations between the two countries upon the footing usual in time of peace; though, since he cannot suppose that we consider mere fair assurances to be sufficient, we must not be surprised if preparations for war are, in the mean time, carried on without intermission." What was the meaning of this? The French minister talked of "suspending their armaments," and in the same breath he said, "this country must not be surprised if preparations for war were still carried on." Sir C. Stuart proceeded—"M. de Chateaubriand did not enter into any detail respecting the nature of the acts to which he alluded; but I understood him to refer to the project of allowing the king the nomination of councillors of state, and giving them a deliberative power, upon a similar principle with that of the American senate; to which might be added a regulation, fixing the amount of the qualification required to render a candidate eligible to the second, or representative Chamber." This was the despatch by which sir W. A'Court declared, that he had for the first time learnt the exact concessions, which would satisfy France, and —a singular slip in a diplomatic pen— "engage her,"—to suspend? No; but —"to put an end to her armaments!" What was the answer which M. de San Miguel gave to sir W. A'Court, after the latter had read to him "those parts of the despatch which he thought the most calculated to produce a favourable effect?" "M. de San Miguel listened with the greatest attention; but, as soon as I had concluded, observed, that the British government was labouring under a delusion, in supposing any sort of modification possible. It would be a much easier thing to overturn the whole constitutional system, and to re-establish absolute despotism, than to concede even the most insignificant of the points which had been pointed out as the most likely to conciliate. He was fully aware that England asked no modifications on her own account. He knew that we wished to preserve to Spain her constitutional system; that our only object in trying to engage her to yield upon certain points was the conviction that if a war did break out, we must be, sooner or later, involved in it ourselves. He knew very well that we should not declare in favour of Spain at first; but nobody could be so blind as not to see, that, if the war was protracted, and other powers took part in it, England alone could not remain a passive spectator of what might be its results."

The House would see by these remarks the impression upon the mind of the Spanish minister, with respect to what he conceived must be the policy of England. He was sorry to say, that he could find nothing in the whole of the documents which had been laid upon the table, that justified M. de San Miguel's estimate of our character. After reading those papers, he must say, it appeared to him, that no love of freedom, no hatred of unjust aggression could have actuated those by whom this mediation was entered into. It was a mediation all on one side. What must have been the feelings of M. de San Miguel when he discovered that all his anticipations of the generous character of England had been falsified by the conduct of her government towards Spain! Sir W. A'Court was delighted at receiving an account "for the first time" of "the exact concessions which would satisfy France." But, that delight did not last long. In eight and forty hours after he had expressed it, sir C. Stuart sent to Mr. Secretary Canning M. de Chateaubriand's explanation of the views of the French government in the following words;—"M. de Chateaubriand said, that he had turned over the subject in his own mind, with a view to decide upon what terms it might be possible to meet the proposals they might receive; and though he could not state the result of his reflections to be the expression of the sentiments of the French government, yet he thought the subject might be taken into consideration, if the Spanish negociators should engage, at a future period, to modify their constitution, and, in the mean time, prove their good faith, by restoring the king to his physical liberty, and allowing him to frequent the Sitios, and to go to watering places; by a general amnesty; by the establishment of laws to regulate the press; and by a change of ministry." And yet sir W. A'Court, in a despatch of the 9th of March, wrote thus—"I saw M. de San Miguel this morning, and to my great astonishment, he asked me what were the precise conditions required by France, in case any question should be asked him in the cortes? I repeated to him the conditions stated in sir C. Stuart's despatch of the 10th of February, and those (hardly to be considered official) contained in the same ambassador's despatch of the 21st of February, and, according to his request, I sent him, upon my return home, an extract from the despatch of the 10th of February. What is in agitation I know not. He told me he should say nothing upon the subject, unless called upon by the cortes; and that if any negotiations were entered into, he would not be the person to negociate." Thus it turned out that, whatever the English ministers might have been, the Spanish minister was not fooled by the pretences and proceedings of the French government.

He had already spoken of the concessions which were unceasingly required of Spain by the English government. The right hon. secretary of state, first required a confidential and spontaneous assurance, that his Catholic majesty and his family were altogether safe from violence. Now, he must say, that considering the uniform forbearance and temper which the cortes had manifested, ever since the Revolution of 1807, such a requisition appeared to involve an unnecessary insult. M. de San Miguel promptly replied, that, by the Spanish constitution, the person of the king was inviolable. The right hon. secretary next demanded, whether, at some future period, a change might not be effected in the Spanish constitution? In answer to this, sir W. A'Court wrote that the Spanish ministers were averse from hearing any thing on that subject. The right hon. gentleman then pressed for an amnesty, which the Spanish government immediately granted. That amnesty did not, indeed, go the length of including all who had attempted to subvert the constitution. But, was there any man sitting in that House who could say that it did not go far enough? It extended to those who, from honest but false and mistaken feelings, had arrayed themselves against the government; but it very properly excluded men who, from the mere love of lucre, from an eagerness to receive the money of France, would betray their country into the hands of a foreign enemy. This concession was freely made. But, while the British government were so earnest in urging the Spanish government to make concessions, did they make a single attempt to intimate to France, that she ought, for decency's sake to draw off, were it only for a few miles, that army which was assembled on the frontier to keep out all "moral contagion?" But, although there was abundant proof of our good offices in behalf of France; he was utterly at a loss where to look for any manifestation of our good offices in behalf of Spain. Not only did we abstain from any such good offices, but the right hon. secretary actually sat down, after the House had separated for the Easter recess, and relieved the uneasiness—little or great—which rested on the minds of the French government, with respect to the course of policy which Great Britain might adopt—an uneasiness which must, in some degree, have diminished the vigour of her exertions—by voluntarily tendering to France an ostentatious pledge of our neutrality.

He had now done with these papers. Would to God they had never found a place in the archives of our foreign diplomacy! One question only he would ask. Supposing an administration, professing itself to be hostile to liberty, rather than enthusiastic for it—supposing them in their hearts, to be decidedly friendly to the cause of France, how could they, with their utmost ingenuity, have better devised the means of assisting and supporting that cause, than by pursuing the course which his majesty's ministers had adopted? Whatever might be the contempt—and it was great—which he felt for the French ministers; he could not charge them with duplicity towards this country. Towards Portugal, indeed, they had been guilty of the grossest duplicity; but our ministers had deceived themselves. Could any one observe the spirit of quizzing, the *persiflage*, which pervaded these papers, and doubt what was the intention of the French ministers from the very first? The right hon. gentleman affected to think that the apprehensions of the Portuguese might be allayed, and that the ambitious projects of the French would not be carried into effect, with respect to that country. He knew not, however, on what ground the right hon. gentleman could sustain such an opinion. The right hon. gentleman had told the House, that if France succeeded, the government of Spain would still be administered in the person of Ferdinand. He did not coincide in that opinion. The House must recollect that when Joseph Bonaparte was king of Spain—and an absolute monarch too—his brother Napoleon, on account of the ties of consanguinity, made a survey of that country, and rendered it wholly dependent on France. What was to prevent a similar result now? Would not the fleets and resources of Spain be under the control of France? And could any person doubt that France would make use of them? The right hon. gentleman had stated, that the possession of the Spanish territory would be useless to France, now that Spain had lost her extensive commerce. But did the right hon. gentleman mean to contend, that the possession of a line of coast, from Holland to Gibraltar, and thence up the Straits, until they came to that part which was under the Austrian protection, was a matter of no importance? Why, only a few nights ago, an hon. member had made the horrible declaration in that House, that five million of the people of Ireland were ready to destroy the extremely small minority of their fellow-countrymen, and to unite themselves with any power who would assist them to separate the two countries. This stood uncontradicted. Now, if France were possessed of the whole coast of Spain, would she not possess a fair opportunity for fermenting those dissentions? What, he should be glad to know, would prevent those crusaders from acting against this country, by assisting those who were described to be disaffected in Ireland? They had no security whatsoever that France would not so proceed. Let the coquetting of ministers with the tyrants and despots of Europe have been what it might, the hatred they bore to this country was incurable and implacable. Those tyrants said, by their conduct, "Wait only till we have subjugated Spain—wait only till we have closed the doors of those legislative assemblies which have been formed in such of the German states, the princes of which have dared to redeem the pledge which they gave when they promised their people a free constitution—wait only till Austria is in possession of all Italy—wait only till France has trampled Spain under her feet—wait only till the Russian flag floats on the Dardanelles and in the Morea, and then, proud islanders, your time will come."

He was sorry to have been compelled to trespass so long on the attention of the House; but the subject was a most important one, and called for the most serious consideration. What would be the issue of this tremendous struggle, which was to decide whether Europe was to become one vast military despotism, it baffled all human foresight, and human wisdom to conjecture. It might be that the crime which Buonaparte, in the plenitude of his power, had failed to effect, a Bourbon, surrounded by bigots, would be able to accomplish. If it were so, the deep responsibility rested on the heads of the British ministry. He hoped in God that France might fail in her attempt. Still, however, the event was doubtful and she might succeed—

> "Multi
> Committunt eadem diverso crimina fato;
> Ille crucem pretium sceleris tulit, hic diadema."

But, whatever might be the issue, he called on that House to do its duty that night, by stating to his majesty, in an humble address, that, in their opinion, his ministers had not done theirs. The motion he would conclude with was,

"That an humble Address be presented to his majesty, to inform his majesty, that this House has taken into its most serious consideration the Papers relating to the late Negotiation, which have been laid before them by his majesty's gracious command:

"To represent to his majesty, that the disappointment of his majesty's benevolent solicitude to preserve general peace, appears to this House to have, in a great measure, arisen from the failure of his majesty's ministers to make the most earnest, vigorous, and solemn protest against the pretended right of the sovereigns assembled at Verona to make war on Spain, in order to compel alterations in her political institutions, as well as against the subsequent pretensions of the French government, that nations cannot lawfully enjoy any civil privileges but from the spontaneous grant of their kings; principles destructive of the rights of all independent states, which strike at the root of the British constitution, and are subversive of his majesty's legitimate title to the throne:

"Further, to declare to his majesty, the surprise and sorrow with which this House has observed that his majesty's ministers should have advised the Spanish government, while so unwarrantably menaced, to alter their constitution, in the hope of averting invasion; a concession which alone would have involved the total sacrifice of national independence; and which was not even palliated by an assurance from France, that on receiving so dishonourable a submission, she would desist from her unprovoked aggression;

"Finally, to represent to his majesty, that, in the judgment of this House, a tone of more dignified remonstrance would have been better calculated to preserve the peace of the continent, and thereby to secure this nation more effectually from the hazard of being involved in the calamities of war."

Mr. *Stuart Wortley* said, it was his intention, before he submitted to the House an amendment to the motion of the hon. gentleman, to state, as briefly as possible, his view of the subject. In doing so, he would bring back the House to the true question; namely, whether they did or did not approve of the conduct of his majesty's ministers, in the course they had taken during the recent negotiations, after they had determined that this country should remain neutral. His feelings were totally different from those of the hon. gentleman; and he felt confident that the feelings which he entertained were in unison with those of the country at large. He should be ashamed, holding the opinions which he did, if he were not ready, in the very first instance, to call on the House to exercise their unbiassed judgment on the question. With respect to all that the hon. gentleman had said regarding the general conduct of the other powers towards Spain, and particularly of France herself, he believed that very little difference of opinion would be found to prevail. For himself, he felt as strongly as the hon. gentleman could do, that the conduct of those sovereigns, for the last two or three years, struck at all the principles on which our own constitution was founded, and was an attempt to shut the door against the admission into any state of any thing like rational liberty. And, further, he would say, that with regard to the conduct of France, it seemed to him to be perfectly incomprehensible. In his opinion, the French government had manifested a degree of folly, greater than had ever been exhibited by any other government on the face of the earth. He was convinced, however, that those who guided her councils would be stopped in their career, and that the infamy of their acts would recoil on their own heads. He believed the efforts of France would fail; and, therefore, what the hon. mover had said with respect to the danger to be apprehended from the possession of Spain by France, appeared to him to be totally visionary and unfounded. With respect to the conduct of the duke of Wellington at Verona, he would contend, that unless when his majesty's government entered into remonstrances, they were determined and prepared to back those remonstrances by force, they would—to use the expression of the noble duke, which the hon. mover had attempted to ridicule—"have placed this country in an entirely false position." The question was, "Shall we keep this country in a neutral situation? Or, if we remonstrate, shall we support that remonstrance by force?" This alternative having offered itself, it was judged wise and prudent to act as his majesty's ministers had done, by keeping up a strict neutrality; and, in his opinion, they would have acted unwisely, if they had had recourse to such a remonstrance as must have been backed by force, after they had, in the first instance, decided for neutrality. They had conducted themselves most properly, in abstaining from all irritating language. They had acted upon those principles which this government had clearly laid down on former occasions, with respect to the affairs of foreign nations. In conformity with those principles, they had felt it to be their first duty to show, that it was not the interest of France to take those measures which she proposed to carry into effect; and, with respect to that point, he thought the duke of Wellington had discharged his duties at Verona most ably and judiciously. Gentlemen might find fault with the course of policy which his majesty's government had determined to adopt; but as their view was to preserve neutrality, he must contend, in spite of all that had been said of the duke of Wellington, that his measures were well taken, and his language well calculated to effect that purpose. Having at Verona failed in preventing the execution of those measures which the French government contemplated, still it appeared that he was enabled, on his return to Paris, to make such an impression on the French government, with respect to their policy, as to induce them to send to Verona, for the purpose of delaying the transmission of those despatches to Madrid, which undoubtedly were afterwards sent there. After having failed at Verona, what, he asked, was this government to do? The duke of Wellington stated very justly, that they could only show their desire to prevent hostilities, and that they certainly did. The hon. gentleman found fault with his majesty's government for offering a mediation, which, he said, was in favour of France, and against Spain. He was at issue with the hon. gentleman on that point; because, as appeared from the statement of M. de San Miguel, this country had been expressly called on to interfere. He would read a passage from the papers, to show that we had not entered into any attempt to accommodate matters of our own accord, but were induced to do so at the instance of Spain. And here it gave him great pleasure to observe in the despatches and conduct of M. de San Miguel a dignity, as if the spirit of liberty had given him at once a superiority over those to whom he was opposed. The passage to which he referred was as follows: Having requested acts of friendly interposition on the part of this country, M. de San Miguel thus proceeded:—"The acts to which I allude would in no wise compromise the most strictly-conceived system of neutrality. Good offices, counsels, the reflections of one friend in favour of another, do not place a nation in concert of attack or defence with another—do not expose it to the enmity of the opposite party, even if they do not deserve its gratitude; they are not, in a word, effective aid, troops, arms, subsidies, which augment the force of one of the contending parties. It is of reason only that we are speaking, and it is with the pen of conciliation that a power situated like Great Britain might support Spain, without exposing herself to take part in a war which she may perhaps prevent with general utility." This passage afforded an indisputable proof that the government of one of the parties—of that party against which the hon. gentleman charged his majesty's ministers, with leaning—saw and approved the policy which this country was about to pursue. Having found fault with the principle of our mediation, the hon. mover of the address proceeded to find fault with the manner in which it was carried on, contending, that it was favourable to France, and of course unfavourable to Spain. He could, not, however, agree with the hon. mover. For, if France had, under the circumstances in which Spain was placed, a right to have a corps of observation on her frontier, it was but reasonable for her to expect some inducement, on the part of Spain, to withdraw that army from the position which it occupied. He was perfectly ready to agree, that if France had accompanied her demand with menaces, every Spaniard would have been bound to resist a demand made in that spirit. But, France had done no such thing; nor would England have tolerated it. England, under the circumstances, had taken the prudent course, not of dictating, but, in the spirit of a friend, suggesting those defects in the Spanish constitution which every Spaniard was most ready to admit. If Spain had possessed the means of opposing effectual resistance to France, then she would probably have been right in the unyielding course she had adopted; but, if—which he feared—she had not at the moment adequate means to repel invasion, then he thought it would have been better for her to have adopted a different resolution. It was suggested to her by a friendly power, in a friendly manner; and, in his opinion, by yielding a little, and on points which she might have conceded without derogating from her character, she would have better consulted her interests. All this, however, related solely to the situation of Spain and France.—Then came the question, What ought to be the policy of England in this crisis? And he would contend, that his majesty's government had acted wisely in proclaiming to Europe that she was determined to maintain a neutrality—a strict neutrality. That was the proper policy of Great Britain. He could by no means see all the dangers to this country which the hon. gentleman had described in the latter part of his speech, even should France attain her immediate object. In the first place, he would ask the hon. gentleman and his friends, who had been so continually pressing the reduction of our estsblishments and the diminution of our taxation, in what situation this country would have now been placed, if the policy which they recommended with respect to France and Spain had been pursued? If, at Verona, we had remonstrated, and, finding our remonstrances in vain, had armed in support of our opinions, instead of having had any taxes taken off during the present session, we must before now have consented to the imposition of heavy additional taxes. And, after all, how could we have efficiently supported Spain? He knew it had been said, that it would only have been necessary for us to equip a fleet. But it was perfectly idle to talk of seriously supporting the cause of Spain, unless we supported it as we had done during the last war. He could not, however see any thing in the present state of Europe which would justify us in lightly entering upon such a contest. He was not ready to incur such a risk; not only with respect to this country, but even as if affected Spain herself. If Spain were now united and determined to be free, the case might be different; but she contained a divided people. France could not embarrass England, unless she could command the whole resources of such a country as Spain, and for a considerable space of time. There was no likelihood of her being able to do so. Her possession of Spain, supposing she acquired any, could only be temporary. The entire possession of Spain was quite impracticable. In order to make the possession of Spain by France dangerous to England, she must remain in that possession for a considerable period. But, did not the experience of late years establish the hopelessness of any such expectation on the part of France? Did it not prove the insuperable difficulty of keeping what it was sufficiently difficult to obtain? Besides, if the Spaniards were not generally hostile to France, all our efforts in that country—limited as they must necessarily be in comparison with those of the late war—would be unavailing. Under all the possible circumstances of the case, he was decidedly of opinion that war was not our present policy. Having stated his conviction that a state of neutrality best befitted this country, he must be permitted to lament the language made use of by gentlemen opposite, on the first day of the session. It was impolitic to have used it; seeing that such language was only calculated to plunge the country into a war, which ought to be avoided. He must deprecate such warmth, and insist, that the neutrality wisely determined upon by his majesty's government, was that which the country called for, and circumstances justified. These being shortly his opinions, he would conclude with moving, by way of Amendment, to leave out from the word "commend," to the end of the question, in order to add the words, "To assure his majesty of our entire concurrence in the principles which his majesty has repeatedly declared with respect to interference in the internal concerns of independent nations, and in his majesty's just application of those principles in the course of the late negotiations to the case of Spain:

"To acknowledge with gratitude his majesty's earnest and unwearied endeavours to preserve the peace of Europe:

"To express our deep regret that those endeavours have proved unavailing, and, while we rejoice that his majesty has not become party to a war in which neither honour, nor treaty, nor the welfare of his majesty's dominions, required his majesty to engage, to assure his majesty, that, highly as we estimate the advantages of peace, particularly at the present moment, we shall be at all times ready to afford to his majesty our most zealous and affectionate support in any measures which his majesty may find necessary to fulfil the obligations of national faith, to vindicate the dignity of his crown, or to maintain the rights and interests of his people," instead thereof.

Mr. *Thomas Wilson* said, that he rose with pleasure to second the amendment, concurring as he did in all that had fallen from the hon. member for Yorkshire, and more particularly in that part of it respecting the conduct of ministers in their prompt and steady decision upon the line of conduct which they had pursued in the course of these negotiations. He was sure that in these sentiments he represented the feeling of a great body of his constituents, and he was sure also that it was their desire, as it was his, that his majesty's government should persevere in their adherence to the principles of honest neutrality, and to a spirit of conciliation both towards Spain and France. He, therefore, strongly recommended to his majesty's government, to persevere in the course which they had begun, and, to pursue, in a spirit of conciliation, the means best adapted for maintaining the blessings of peace. By the adoption of such a course, they would keep themselves in that situation which was most likely to afford them the ultimate means of assisting either of the parties, and enabling them to escape from the perilous situation in which they, at present, stood. To expect that such a mass of papers would give universal satisfaction would be unreasonable; but, he had no hesitation in saying, when he looked at them as a whole, that he thought they proved that ministers had done every thing which honour, firmness, and consistency of character required from them, and that they deserved the thanks of the people. He had listened with attention to the speech of the hon. mover of the address, and he must say, that his sentiments in favour of neutrality had not been at all weakened by the arguments of the hon. gentleman. The hon. member had, indeed, strenuously contended, that his majesty's government had failed in conducting the negotiations with suitable energy; that they had lost the time of opposing with effect; and that had they threatened more active exertions in the cause of Spain, the war might have been avoided. He could not go along with the hon. member, in such a conclusion; nor did he think that such a result would have attended the determination of this country to throw away the scabbard. But, when he argued in favour of the policy of neutrality, he wished not to be understood as approving of the conduct of France towards Spain—It was a conduct which no Englishman, valuing the institutions of his country, could see without the greatest execration. [Cheers.] In no other terms did he wish to characterize the invasion of Spain, or the efforts of the Army of the Faith to organize revolt with French means. These were acts which no Englishman could contemplate without entertaining a constitutional disrespect for the government which had ventured to violate those principles which all freemen cherished. He did not mean to say that England had a right to assume the attitude of being the arbiter of the world, and that those persons who did not assent to her views were to be stigmatised by epithets, and in a tone which lowered the dignity of that House, and of its debates, and caused feelings of great irritation to mix themselves up in the consideration of public affairs. Those gentlemen who indulged in this invective should recollect the effect it was calculated to produce upon those who were the allies of Great Britain. The hon. mover had talked of the hatred of tyrants being invincible towards this country. He was not afraid of the feelings of other powers towards this country. He entertained no fear of the interference of the continental powers in the affairs of this country, in consequence of our not having adopted the chivalrous course of politics pointed out by the hon. member. He was confident she would always be in a situation to maintain her rank in the scale of nations. Nevertheless, his decided opinion was, that the line of policy best suited to Great Britain at this moment was neutrality, and a strict determination, on the part of the government, to husband the national resources, for the purpose of placing the country in such a situation as would enable us to engage with all our energies in defence of the national honour and national interests of our country, should either the one, or the other be, menaced by the posture of affairs upon the continent.

Mr. *Hobhouse* said, he could not refrain from the expression of his feelings, in unison with those of every man who felt as an Englishman, in condemnation of what he conceived to be the gross failure of the negotiations, and the consequent degradation to which this country had been reduced by the measures adopted by the right hon. secretary opposite, and his colleagues in office. And, when he expressed those feelings, he begged at the same time to congratulate the House upon the tone and temper of the speeches which had been delivered both by the hon. mover and the seconder of the amendment. Here, at least, they had the consolation of not hearing language fostered by British hearts tainted by the base principles of foreign despots—language unfit to be heard by British ears, and in direct variance with every principle and feeling of which an Englishman ought tobe proud. Such language, he grieved to say, had been uttered elsewhere, in a place to which he could not, consistently with parliamentary order, more particularly allude, which it would have been better to have uttered among the despots at Verona, when sealing the destiny of freemen, than to have reserved for utterance in a British parliament. It was but justice to the hon. mover and seconder of the amendment to say, that they had not followed the offensive example which he had deprecated. They at least had saved themselves from the odium of such language; and had avowed the self same principles which he and those with whom he acted had declared. The only difference was, that they failed in arriving at the same conclusion. With this difference, they agreed upon terms. They had spoken out like Englishmen, in reprobation of despotism and injustice. Still, it was singular, that the very proper language of his hon. friend, who moved the original address, had been censured by the hon. member who spoke last, and more particularly after the language which he had applied to the outrage of France against Spain. The hon. member had properly said, that it deserved the "greatest execration." The hon. member could not, by possibility, have used an epithet better designating the feeling of every honest bosom at the invasion of Spain. And if, as it ought to be, it was followed up with the vote which was the natural consequence of it, then he would say, that the citizens of London had never a more proper representative than the hon. member, who now spoke, as it became him to do, the language of his constituents. He was convinced, however, that the hon member was incorrect, when he imputed to the great majority of his constituents a coincidence of opinion with himself on the subject of neutral policy. It was very difficult for the representative of a large city to catch the general opinion of his constituents; unless when that opinion was unequivocally expressed at a great public meeting. He (Mr. H.) had the honour of being one of the representatives of a larger part of the metropolis than the hon. gentleman opposite; and his experience of the sentiments of his constituents was directly the reverse of that of the hon. gentleman; for if he knew any thing of their feelings, he thought that, notwithstanding the exertions which his constituents had made during the late expensive and protracted war, notwithstanding the heavy burthens they were now bearing—not owing to any fault of their own, but to those of others over whom they had no control—they would gladly make any sacrifice for the maintenance of a firmer policy than the one which his majesty's government had adopted. [Hear, hear, from the Treasury benches.] He had no doubt of the fact; and that they would submit to any privations, if it could be clearly shown to them, that those privations were necessary for the maintenance of the liberties of Europe. The honour of England was involved in the preservation of the free institutions of the continent; and Englishmen would be happy to afford the utmost support to a government bent on the preservation of the institutions of freedom. [Hear, hear.] He did not wish to be misunderstood upon this point. He did not mean to say that his constituents were ready to support any ministerial war which might be entered into, for the purpose of obtaining this or that province; for the purpose of obtaining the navigation of the Scheldt; or in order to recover this or that Swiss canton; but he meant to say that, in the event of any war against the tyrant kings of Europe, the people would undoubtedly go hand in hand with ministers in support of such a war. These were his sentiments, and, he believed, those of his constituents also. But, even if he had the misfortune to differ from his constituents, still he would entertain such sentiments; and, sooner than relinquish them, he would at once, proud as he was of the honour it conferred upon him, resign his seat in that House. He had to complain, among other things, that the hon. member who moved the amendment had, in the course of his speech, greatly misrepresented the language used by the Spanish minister, M. de San Miguel. He had declared that minister to have expressed himself as satisfied with the conduct of England. Now, that minister had, on the contrary, clearly pointed out to our government a widely different course; observing, that by doing so they would adopt a line worthy of them and worthy of the great nation over whose councils they presided. The following were the words made use by M. de San Miguel:— "The government of his majesty has received with gratitude, but without surprise, the verbal communication, purporting that the cabinet of his Britannic majesty, respecting the independence and the political institutions adopted by the (Spanish) nation, is determined not to interfere in our domestic affairs. Nothing else could be expected from the government of a nation which, like the British, knows its rights, and the primordial principles of public law; and it is only to be wondered at, that it should not think it expedient to give to a declaration of such obvious justice the solemnity which it deserves." Now, he at once objected to the course of argument pursued by the hon. mover of the amendment, and he founded his objection upon the following passage in M. de San Miguel's correspondence: "The ties of intimate regard, the principles of mutual convenience, and the analogy of the respective institutions which exist in Spain and in England — do they not positively entitle the former, overwhelmed by difficulties, to expect from the latter, whose political influence is of the greatest weight, something more than simple and abstract justice—something more than a passive respect for universal laws, than a cold and insensible neutrality?" Here, certainly, was no disguise, no ambiguity. They saw a gallant nation avowing the difficulties with which she was surrounded, candidly admitting the situation in which she was placed, and stating at the same time, that under such circumstances, she expected from us "something more than simple and abstract justice—something more than a passive respect for universal laws, than a cold and insensible neutrality." M. de San Miguel went on to show that we had done nothing more than pronounce an hypothetical theory; that while we offered our interference, we, in fact, did nothing to prevent the mischief we apprehended. For he went on to say— "And if some tender interest, such as befits two nations in similar circumstances, exist in the court of London, how is it that it does not manifest itself in visible acts of friendly interposition to save its ally from evils in which humanity, wisdom, and even cautious and provident state policy will sympathize? Or how is it that (if these benevolent acts exist) they are not communicated to the cabinet of his catholic majesty?"

Where, now, were the arguments of the hon. member for the county of York? Why one would hardly imagine that they had both alluded to the same document. Here was a direct accusation against his majesty's ministers, couched in the very language of complaint used by himself and his hon. friends; and even his hon. friend (Mr. Macdonald) who introduced the motion, did nothing more than amplify that which had been expressed with so much pathos by the Spanish minister, and which, whatever took place, would stamp indelible disgrace upon those ministers who had neglected to follow that direct and honourable course which lay open to them. M. de San Miguel, in asking, "if some tender interest exists, &c," evidently doubted that there existed any such. Did any doubt now remain as to the existence of such tender interest? "*De non apparentibus et de non existentibus eadem est ratio.*" No such tender interest appeared; and, therefore, he was bound to conclude that no such existed. He begged pardon for troubling the House with so many quotations from the papers; but he really felt them necessary to his argument. He hoped, so far as he had gone, he had not misquoted any of the documents [No, no!—hear, hear!] Well, then she went on [a laugh] He knew not the ground for that laugh. He had used the term, *she*, as applied to Spain. Well, then, Spain, or her minister went on as follows:—"The acts to which I allude, would in no wise compromise the most strictly conceived system of neutrality. Good offices counsels the reflections of one friend in favour of another, do not place a nation in concert of attack or defence with another, do not expose it to the enmity of the opposite party, even if they do not deserve its gratitude — they are not (in a word) effective aid, troops, arms, subsidies, which augment the force of one of the contending parties. It is of reason only that we are speaking, and—it is with the pen of conciliation that a power, situated like Great Britain, might support Spain, without exposing herself to take part in a war, which she may perhaps prevent with general utility. England might act in this manner; being able, ought she so to act? and if she ought, has she acted so? In the wise, just, and generous views of the government of St. James, no other answer can exist than the affirmative. Why then does she not notify to Spain what has been done, and what it is proposed to do, in that mediatory sense *(en aquel sentido mediador)*? Are there weighty inconveniences which enjoin discretion which show the necessity of secrecy? They do not appear to an ordinary penetration." Now, after having ventured to trouble the House with this extract, he would appeal to the candour of any member, who possessed the power of reading, whether the hon. member for Yorkshire had fairly quoted the documents in question, and whether the government of Spain had acquiesced in and approved of the course pursued by our government in this transaction? So far from it, that the very next paragraph distinctly pointed out what the whole matter hinged upon, and even the hon. member for the county of York himself would perceive what was the real state of the case. It was as follows:—"Nevertheless, in such uncertainty of what she has to thank the British ministry for, the government of his Catholic majesty thinks itself bound to manifest, in the face of the world, in order that it may regard it as its profession of faith, that whilst it respects the rights of others, it will never admit the least intervention in its internal concerns, nor execute an act which may compromise, in the least, the free exercise of national sovereignty."

After this declaration on the part of M. de San Miguel—after he had declared that Spain would not concede one iota of national sovereignty, or one principle of her political institutions—what did we do to convince Spain that we intended to mediate, in the same sense that he had considered that intention in. We sent over lord Fitzroy Somerset with a memorandum from the duke of Wellington. It would have been natural to suppose, from the character of the duke, and from all that he had before achieved in Spain, that the memorandum transmitted by his grace would have been couched in terms becoming any lover of independence, any lover at least of heroism. But, notwithstanding the comparison which had been instituted elsewhere between the duke of Wellington and another great general and statesman of former days, he (Mr. H.) could not concur in one part of the eulogy which a noble lord had pronounced upon him. At least, it could not be said of the duke of Wellington, "eodem animo scripsit quo bellavit." This memorandum was but a poor performance after all; and therefore he would say no more upon the matter of its composition. But our government thought, it seemed, that the duke of Wellington had a right, from the great and peculiar services which he had rendered to Spain, to give her his friendly counsel. Did, however, the noble duke offer that counsel in the only way in which M. de San Miguel had said it could have effect? namely, in such a way as might preserve the principle of national sovereignty? He did not. And not only was this the case, but the memorandum went to such lengths—it pointed to such concessions—it was contrived with so much sophistry—that it was quite impossible to learn from it what it was, that the duke himself wished Spain to do. It had been said, that the duke had some right to give her advice, by reason of the splendid services he had performed for Spain; but, was he not bound, on the self same principle, to offer his counsel to France? He should like to know, whether the services his grace had rendered to France were not at least equal to those which he had done to Spain? He should wish to be informed, whether the amazing services which the duke had performed for that ungrateful family—as he must ever call them—which sat upon the French throne, were not equal to any of those which the same distinguished individual had had the happiness of performing in behalf of Spain. Did the noble duke give the same advice to France then as he had favoured Spain with? In one of his speeches on this subject, the right hon. secretary of state (Mr. Canning) had, indeed, made use of the word, "remonstrance," and he (Mr. H.) was quite delighted in consequence. He had, however, looked through the whole of the papers, page by page, in the hope of finding that expression somewhere used; but, with all his hopes and all his wishes, he could see nothing like "remonstrance" in the entire collection. None, at least, as applying to France; but, as to Spain, remonstrance, certainly. Now, what was it that the English minister said to Spain? He said, that our mediation would be afforded to her on two grounds: "If Spain be disposed to solicit that mediation, she will entitle herself to it, first by redressing our grievances; and secondly, by a confidential and spontaneous assurance that his catholic majesty and his family are altogether safe from violence." Why, was this the time—the time in which Spain openly avowed herself to be distressed, when she said to England with a generous and gallant confidence, "Help us, or we sink,"—was this the time for a British minister to use such language?—to say to her, "Do this first, in order to entitle you to ask our mediation?" It was true, indeed, that the right hon. secretary, on a former night, had said, "he hoped the House would not suppose that he had taken such an opportunity to press that redress upon the government of Spain." But, what was the House to think of the expressions which he (Mr. H.) had quoted? Did it not amount to this:—"Redress our grievances first; and then we will tell you, whether we will assist you with our mediation or not." And, why was this proviso suggested about the king? What right had we to insist upon conditions with Spain, as to what she should do in respect to her king? But, thus it was:—we took care to make conditions for the king; but we never said a word about the people. In these days, an English minister scorned to stipulate for, or to consult the people. All that he asked was, security for that cursed monarchical principle—[Cries of "Hear, hear," from the ministerial benches, and repeated from the Opposition,]—that cursed monarchical principle, for which he (Mr. H.) supposed all was to be given up. [Hear!]. He knew very well what he was saying. He was addressing an English House of Commons; and surely, as this principle had lately been expounded by the despots of Europe, he had a right to complain of it. It had blasted all the fair hopes and promises that had been held out to the nations: it had rendered null and void all the mighty efforts which this country had put forth, and had defeated the object of that vast expense of blood and treasure, which was intended to ensure security for ourselves, and to establish the liberties of Europe.

The hon. member for Yorkshire had praised ministers that evening, for resolving to maintain "at all events," the peace of Europe. Now, what was the meaning of the phrase, "at all events?" It obviously meant something or nothing. If it meant the preservation of peace in any event whatever, that might arise, the hon. member himself knew not what he said. In that sense of the words, he was sure the hon. member had too much spirit to vote away the honour of the country, "at all events." The hon. member, then, must have intended to say, "at all events" as applying to any that—looking to the time at which ministers so determined—might then occur. And here he must take the liberty of repeating the observation of his hon. friend (Mr. Macdonald), that nothing else could be expected from the congress of Verona, but a continuation of those aggressions and encroachments on the liberties of states, which had been so long committed, and were so much to be deplored. The inevitable result and continuance of this system, had been foretold and deprecated, not only upon his (Mr. H.'s) side of the House, but even by the noble predecessor of the right hon. secretary. In proof of this assertion, he had only to refer to the state papers issued by the late lord Londonderry, at the congresses of Troppau and Laybach. He recollected very well, that when the occupation of Naples was the subject of discussion, the hon. member for Yorkshire was among the foremost in that House, to declare his abhorrence of the principle of intervention which at that time existed among the allied sovereigns. It had been said by the right hon. secretary on a former evening, that at the congress of Verona it was not at first expected that the affairs of Spain would form a prominent feature of discussion. But it should be recollected, that in the declaration of Troppau, it was stated, that the allied powers looked at the revolutions of Spain, Portugal, and Naples, in the same point of view. It was further stated, on their removal to Laybach, that the affairs of Naples were to be considered first. After the declaration of the 12th of May, and after the military occupation of Naples, was it consistent to suppose that these holy allies would ever slumber, or take their eyes off Spain, while a free constitution was to be found in that country? For his own part, he thought the kings perfectly right. True, he abhorred their principles; but still he maintained, that so long as Spain retained a free constitution, so long would it be impossible for these holy powers fully to establish their alliances, or to carry into complete effect their principle of universal despotism.

But it was now asked, how any one could suppose, that Spain would afterwards become the object of the discussions at Verona? He knew not whether so insignificant a fact was worth mentioning; but he himself happened to be at Verona at the time of the sitting of the congress; and he could undertake to say, that no man in Italy, that no man even in the south of Europe, of any intelligence, ever supposed at that time that Italy was really to be the subject of discussion. There was, indeed, in Italy something like a movement of corps; but what did it amount to? One corps crossed a mountain, and was succeeded by another corps, or took up a neighbouring position; and in this way, too, 17,000 men crossed from one bank of the Po to the other, where they encamped, in order to be in readiness to recross the river when necessary. But every body in Verona knew perfectly well, that the deliberations of the congress assembled there regarded Spain. He would, however, do the right hon. secretary the justice to say, that he did not think that right hon. gentleman was much mistaken about the feeling of congress, when it broke up. He (Mr. H.) really thought that it was not then imagined there would be a war with Spain. He happened to know, that there was a general complaint on that occasion, in Verona, about the result of the congress. The aid-de-camps or other retainers of the monarchs were heard to murmur at the fruitless errand which had brought them from the walls of China, the banks of the Wolga, or the frontiers of Turkey, merely to make part of a pageant. But the fact which he had admitted only made the enormity of the thing the greater. Congress had broken up, being deterred from the meditated war, by their apprehensions of the indignation of Europe, and the menaces of offended justice; and yet we were to be made the victims of a wretched miserable intrigue, got up in the Tuileries; or of the cunning and influence of a contemptible Corsican adventurer, who, to make good some bet, perhaps, in the Salon des Etrangers at Paris, had at last so manœuvered as to drive the French minister into a war.

The part which the right hon. secretary (Mr. Canning) had been called upon to play was one of the greatest and the noblest that a minister ever had to perform. Unhappily, the right hon. gentleman preferred to follow in the path which had been trodden by his predecessor; and was willing to sacrifice the glory of asserting the honour and character of the country to a perseverance in the fatal system to which that unfortunate nobleman had committed himself. He (Mr. H.) was aware of the delicate ground upon which he was treading; he knew that beneath it were the "cineres adhuc calentes" of the deceased minister, and he was willing not too minutely to scrutinize his demerits in that capacity. But death should not canonize his errors, and he must say, that the policy of that nobleman was of all others the most fatal ever adopted by a British minister. Whether he (Mr. H.) was right or no, he would only judge from the manner in which his opinion was backed by that of others. He had visited almost every country in Europe, and he knew that there was hardly one of those states which did not look up to the late lord Londonderry, as to one of the principal causes of their present condition. He could only tell the right hon. secretary, that when he succeeded to office, he succeeded with more hopes, more expectations, more wishes—good wishes, it might be added—than had ever in this country hailed the entrance of any foreign minister into office. This was quite true. He knew not how the right hon. gentleman happened to have collected round himself such a halo of hopes; but he (Mr. H.) did very well recollect to have heard in that territory which had most suffered through our disastrous policy—he meant the Milanese states—and to have heard, not from the common people, as they were called, but from persons of the first rank and importance there—much congratulation on the subject of the right hon. gentleman's becoming foreign secretary. "Well," it was said, "your lord Londonderry is now no more; and since you have that gentleman" (naming Mr. Canning) "for his successor, we do hope and trust that he will be neither influenced nor restrained by those gentlemen who form the company of the ante-chambers of foreign monarchs. We hope that he may know and feel that his lordship has been deceived, and that England, in abandoning the part of the people and taking the side of the sovereigns, has taken a fatal and ruinous step which nothing can retract or atone for, but a decided change of policy." Elsewhere, however, he (Mr. H.) had heard something which was even a great deal more to the right hon. gentleman's credit, for it was the excessive discontent and vexation with him, which was expressed by the under ministers and attendants, and retinue of prince Metternich and count Nesselrode, and all the other gentlemen of the ante-chambers of the allied sovereigns. "Oh," said they, "matters will go poorly with us now in England: the patron of legitimacy is no more; and in his place we find a liberal; nay, more, a very radical,"—to which he (Mr. H.) only replied, "I am afraid not quite" [A laugh!]. Whether this was what the right hon. gentleman would accept in the light of a compliment he knew not; but so, undoubtedly, stood the facts. The same sentiment followed the right hon. gentleman, for he was held up by the followers of M. de Montmorenci, and by the ultras of the Fauxbourg St. Germain, to hatred and execration.

From all these circumstances he had formed some hopes, he confessed, of the right hon. gentleman. He did venture to think, that something was yet to be done for our honour and character, if only from the mere love of contraries, and if it was only that an opposite course to that which had been pursued by lord Londonderry was to be taken. But when he heard the Speech, delivered at the opening of the present session, from the throne, and the addresses that were voted —the language of which was very like that of the speeches to-night of the hon. members for York and for the city of London —he did gravely believe, that a radical had actually come into office. [A laugh.] He was sanguine enough to believe, that an honourable and manly conduct was at length to be pursued. If he was wrong, he could only say, that he would at any time rather be a dupe to his good opinion of any man, than be a prey to the pains of perpetual suspicion and mistrust. But, it appeared he had been wrong, and that the right hon. secretary had closely followed in the footsteps of his predecessor. The right hon. gentleman appeared to be a friend to Spain—he would not say for the designed purpose, for he could not believe any thing which would be so discreditable to the right hon. gentleman; but—with the effect of making her disgrace herself. That seemed to be the only effect which his friendship would produce. He well recollected, that on a recent occasion—the presenting a petition against the foreign enlistment bill—there was a rumour abroad, which he found it difficult to believe; he thought that some enemy to the right hon. gentleman must have put it into the public papers. It was, that at that period sir W. A'Court and lord Fitzroy Somerset were trying to make the Spaniards modify their constitution. When gentlemen on his (the Opposition) side of the House heard that such a report was abroad, they said, "Oh no! it cannot be." [A laugh!] And yet, what had the fact turned out to be? Why, that the very interposition supposed to be so impossible—the effort, not to save, but to degrade Spain—had actually been made by our recommendation to her to sacrifice her honour and her interests, by resigning her independence. He could not help thinking, that the late lord Londonderry, had he lived, would, in one respect, have acted a preferable part to the right hon. secretary. He would either have felt, that the first menace of France was clearly against the principles of his own circular in 1820, and would have resisted it at once—or he would have boldly resolved to adopt the principles of the alliance; but, in either determination, he would have assembled parliament and affected at least to consult his friends in that House. But, what did the right hon. gentlemen do?—Parliament was not assembled until the latest moment; and when it did assemble, especial care was taken in the king's speech, to omit all intimation of the policy which government had resolved to pursue. Rumour said, that the foreign secretary had prevailed over his brother ministers, in procuring the omission of the words "strict neutrality" in his majesty's speech—and likely enough; for, week after week, doubtful language fell from that gentleman, until the fatal phrase at last dropped from the lips of the prime minister in the other House; and this country then knew the extent of her disgrace.

But, although ministers might have made up their own minds to this base policy, what surprised him was, that they should ever have supposed Spain could consent to modify her constitution. What sort of modification would content France, no one could collect from the papers before the House. In fact, Spain had but one line to pursue; for in politics as in morals, "Linea recta velut sola est sed mille recurO." This straight forward course Spain had followed in spite of the menaces of foes—in spite of the base advice of friends; and, to contrast with this noble conduct what was the course adopted by England? When it was known that this injustice was to be attempted, the right hon. gentleman said—"Come what may, England will be no party to this matter." Suppose a man had two friends, and knew that one was going to rob the other: and instead of going to the former and saying that he knew a man who was going to rob him, he were to say, "I would advise you to give away a little bit of your property: put a little money under your door, and I think I can guarantee you from having your throat cut in the middle of the night." [Hear, hear!] He would here beg to recall to the right hon. gentleman's recollection what was his tone in 1808. He knew that an attempt had been made to separate, as distinct, the position of Spain at that time from what it was at present. In his opinion, the cases bore a very strong resemblance; and by a strange coincidence the new congresses of Laybach and Verona furnished a strong parallel to that of Erfurt. The latter was assembled, as Napoleon said, for the purposes of securing the peace of Europe, and of arranging the affairs of Spain; and, after that congress, peace was offered to England by Napoleon and the emperor of Russia. The right hon. gentleman, then secretary for foreign affairs, answered the proposition in the following language—at least such was the language of the king's declaration, dated, Westminster, Dec. 15, 1808. As the chief reason for declining the overtures, he says, "The universal Spanish nation is described by the degrading appellation of the Spanish insurgents, and the demand for the admission of the government of Spain as a party to any negotiation is rejected as inadmissible and insulting." What followed might well serve to show what was the real sincerity and friendship of those allies, for whom the right hon. gentleman was disposed to sacrifice so much. "With astonishment, as well as with grief, his majesty has received from the emperor of Russia a reply similar in effect, though less indecorous in tone and manner. The emperor of Russia also stigmatises as 'insurrection' the glorious efforts of the Spanish people in behalf of their legitimate sovereign, and in defence of the independence of their country; thus giving the sanction of his imperial majesty's authority, to an usurpation which has no parallel in the history of the world." At that time France was united with Russia as she was now, and Austria would have joined her, but did not for the best of all reasons; namely, that Napoleon would not let her. This appears from a curious correspondence between prince Metternich and M. Champagny, the French minister for foreign affairs. To show the disposition of prince Metternich—the prince of all legitimate ministers—it was only necessary to observe, that he told the French minister, that if king Joseph had not been recognized as king of Spain, it must be attributed to the congress at Erfurt; for if the presence of his master or even of himself—this legitimate minister—had only been permitted, the claim of Joseph to be king would have been recognized. At this time, it was clear that the right hon. gentleman had a good knowledge of the persons on whose behalf he now showed so much interest. It was about two months after the breaking out of this struggle in Spain in 1808, that king George the third closed the parliament in these terms:—"His majesty views with lively interest the loyal and determined spirit manifested by the Spanish nation in resisting the violence and perfidy with which her dearest rights have been assailed. The Spanish nation, thus nobly struggling against invasion, can no longer be considered as the enemy of Great Britain, but is recognized by Great Britain as a natural friend and ally. We are commanded to inform you, that communications have been received from several provinces in Spain, soliciting the assistance of his majesty; which communications his majesty has received with every demonstration of good-will and attention. In contributing to the success of this great and glorious cause, his majesty has no other object than that of restoring, unimpaired, the independence and integrity of the Spanish nation; but he trusts that the same efforts that are employed in this great object may, under the blessing of Divine Providence, lead, by their effects and their example, to the restoration of the peace and liberties of Europe."

Now, what sentiments could be more magnanimous than these—what more proper for a British minister—what more fitting to be held up for future imitation? The right hon. gentleman would say, the present was an extremely different case—that we were not now at war with France. No doubt, it was a different case in point of interest, but not in point of honour. In the former instance, when any nation threw off her alliance with France, we took her into our alliance directly for that very reason; but he trusted that the right hon. gentleman had too much magnanimity and spirit to look only to the question of interest, and now, when we did not want Spain, but when Spain wanted us, to forget the peace and to desert the liberties of Europe—to forget her rights and the independence of nations, and every thing which the right hon. gentleman once found it so convenient to vindicate. It was said, that Spain was now divided, and that she was then united. This he denied. So far from being then united, all the members of the Spanish dynasty, many of the grandees, all the principal magistrates, the constituted authorities of Madrid, and the higher powers, particularly those exercising the great office of inquisitor-general, were every one of them against the independence of their country. One of the arguments then made use of by the right hon. gentleman in that House, and by lord Liverpool in the other—some premature motion having been made by the late Mr. Sheridan, calling upon the country to explain herself with regard to Spain—was, that at that period only five or six of the provinces of Spain had declared themselves. However, England shortly after did embrace the cause of Spain: the voice of that country spoke out—spoke out for freedom, and drowned in its swelling and triumphant shout the corrupt and feeble croaking of inquisitors and of slaves. At that period, the language used by the inquisitors was precisely the same as the language of Louis 18th at the present day. The inquisitors said, that the people of Spain were not to be trusted; that their enthusiasm unfitted them for grave considerations of national policy; that the legitimate authorities of the country were to have the sole controul and direction. Such was the language of the inquisitors; such also was the language of Louis 18th when he said, "Let Ferdinand 7th be free to give a constitution to his people, which they cannot obtain but from him." With respect to the prospects of the Spanish patriots in 1808 and 1823, he was of opinion that the present prospects were by far the most promising. When the revolution broke out in 1808, there were 130,000 Frenchmen south of the Ebro, and 60,000 French soldiers in Madrid and its vicinity; but in two months after the revolution broke out, not a single Frenchman in arms was to be found south of the Ebro. Such was the effect of the brave and glorious efforts of the Spaniards in 1808. All he would say now was, that he would join with the right hon. gentleman in fervently praying for the assistance of heaven on behalf of the cause of the Spaniards. Whether the cause should fall or triumph, he hoped that an English House of Commons would that night show to the world that it appreciated our national character—that it appreciated the ancient glories of England—and that it would restore us to the proud and honourable situation we once held—that of being the friend and patron of the liberties of mankind. [Cheers!]

Sir *W. De Crespigny* declared himself an advocate for a strict neutrality. Nobody could detest the conduct of France with regard to Spain more than he did; but, he also thought it his duty to consider, first of all, the honour and safety of his own country [coughing]. If the member, who appeared so afflicted with a cold, imagined that he was to be deterred from stating his sentiments, he was very much mistaken. That hon. member had better go home and nurse himself. He could not see why this country, which had spent six hundred millions to set the Bourbons up, should now spend as much more to pull them down again. He felt it his duty to protest against the principle of making England a party to every war which occurred, for which she was always saddled with the expense and had to pay the piper. He should oppose any measure likely to embroil us in another war.

Mr. *Bankes* said, he had listened with great attention to ascertain, if possible, from the hon. mover and those who supported him, whether they wished the House to consider the passage of the French army into Spain as a good cause of war on our parts against France. He understood that those hon. members did not go that length; but confined themselves to stating, that a different course of negotiation on our parts would have preserved peace between France and Spain. It had, however, been admitted on all hands, that it would have been extremely unworthy of the British government to assume a menacing tone towards France, unless we were really determined to go to war with that power, provided it disregarded our advice. He entirely concurred in that opinion; and he was perfectly satisfied, that the infatuation of the court of France was so great, that nothing short of war, on the part of England, could have deterred her from the monstrous and horrid aggression upon Spain. He did not hesitate for one moment so to characterise the attack which France had made upon Spain. He believed that but one sentiment prevailed in that House, and in the country at large; and that was, a sentiment of strong indignation against the government of France, for its unjust attempt to trample upon the liberties of Spain. The case appeared to him to be this—the government of France was guilty of a gross violation of the laws of nations by invading a country, with which it was at peace, for the purpose of interference in its internal affairs. But, had England, on this ground, a right to enter upon hostilities with France. He decidedly thought, that she had not. He seriously questioned whether, had we gone to war, we should have been justified in doing so. We had no right, by any law of nations, to make ourselves the arbiters of the world.—In his opinion, we had no more right to intermeddle than France herself had. It would be perfectly monstrous to lay it down generally, as a rule, that when France declared herself on one side, we should immediately range ourselves on the other. With regard to Spain herself, no one knew—he was sure the hon. member for Westminster would not profess to know—the exact degree in which the Spaniards were divided among themselves; though it was certain that they were divided to some extent. Our taking up the subject, therefore, would be only taking it up in favour of one party against another. The Spanish minister had admitted, that all that was desired by Spain was neutrality. Mere views of interest were not a just cause of war; though he by no means admitted, that it would be our interest to go to war. We were now in the eighth year of peace, possessing a surplus revenue, and the means of relieving some of our burthens. He could not but express his surprise, that, with the same breath, hon. gentlemen should call for war, and also for that relief which could be obtained only by our refraining from war. He thought the danger, as between France and Spain, was greater to the dynasty of France than to the Spanish cause; and he should be as little surprised, as he should be sorry, to find that just punishment had overtaken the former. He thought that any fears of the union of France and Spain were altogether visionary. The Spanish constitution might be worth fighting for by the Spaniards themselves, but not by this country. He, nevertheless, admired the spirit of the Spaniards in refusing to make any alteration in that constitution, in compliance with a foreign menace. There had, however, been so much hesitation in the French councils, that he really thought it doubtful, whether they intended, in the first instance, to act as they now had. On the whole, he saw every thing to commend in the course which had been taken by his majesty's ministers to maintain a strict neutrality. He thought, too, that the war between France and Spain was very likely to become an unpopular war in France; but that, if it were once made an English war, it would immediately become popular. The hon. gentleman concluded by declaring, that he should vote for the amendment.

Mr. *Baring* said, that if any attempt had been made at catching a few extra votes, it had not been on his (the Opposition) side of the House, but on the side over the way, where it was maintained, that the only question before them, was one of peace or war. He asserted, that no such decision was involved in an assent to the address of his hon. friend; and he was further prepared to maintain, that this country was more exposed to the probable chances of war, by the course which his majesty's government had pursued, than it could have been by the adoption of a tone of firm and vigorous remonstrance, from the beginning. What was the situation of this country, with reference to her continental allies? We had now been joined with them for some seven or eight years in treaties which had for their bases the general pacification of Europe. So far he was not disposed to object to the alliance; for we had, in fact, by our union with them, delivered Europe from the tyranny under which it had groaned: but that after this we should join with them, in any association having for its object an interference in the internal policy of other states, was what he strongly objected to. We should not only be no party to any such alliance; but it was not less our duty than our interest firmly to oppose it. In the negotiations respecting Saxony and the giving up of Genoa, there might have been great difference of opinion on our part, but not such as called upon us to interfere directly. But, that the principle of interference should have been extended to Spain, and that we should not have strongly remonstrated and threatened, was an absurdity which he found it impossible to comprehend. If, at the commencement of these negotiations, we had held this language to the allied powers: if we had said to Russia "The interest of Spain is one which concerns us particularly — you, Russia, separated as you are from us by a thousand or more miles, cannot have the same interest in what concerns Spain that we have—you may be interested in the concerns of Poland, or Austria in those of Italy, but the internal affairs of Spain cannot affect either of you materially, and therefore we must oppose ourselves to any such interference."---If language to this effect had been held at the commencement---and he maintained that such language and even stronger might have been held without the alternative of war; and further, he maintained, that the burden of showing that such an earnest tone had been adapted was thrown upon ministers ---the result would have been very different from that which they had now to deplore. Looking at the correspondence which had been laid before the House, he saw no traces of any such earnestness on the part of government. The strongest expression in those papers was, that England would take no part in the affair. This cold and formal language was the strongest which ministers had used. He thought the case called for a much stronger and more earnest declaration of our opinions. But still he contended, it was unfair to suppose that, because he thought so, he and those who agreed with him were in favour of a war. It was said, that the conduct of France during these negotiations had been vacillating. But that very circumstance gave additional strength to his argument; for, if the councils of France and Austria were undecided, the probability was, that, a more strong and decided tone on our part would have been effectual in preserving peace. But, let the House look at the present state of affairs as they now were, and then ask themselves, whether the late negotiations had left any thing like a reasonable hope, that this country would not, at some stage of these transactions, be involved in hostilities? Putting out of view, for the moment, the chances of being involved for the support of our naval power, he begged it might be remembered, that we were bound by treaty to protect Portugal from aggression. Now, supposing France to be successful, and Ferdinand again seated on his throne, in the full possession of despotic power, could it be imagined that France and Spain would be such absolute idiots as to leave Portugal, which had the same constitution and acquired under nearly the same circumstances, unmolested? Was it possible, that they would be such idiots, avowing the principles which they did, as, having quenched the fire in Spain, to leave it still burning in the territories of their near neighbour, Portugal? The thing was not to be expected. Spain would consider that her work was not half done while that fire was left burning, which at some future period might again kindle up the Peninsula. It could not be the interest of despotic Spain to have a free government existing in Portugal. We should then hear of a cordon established on the frontiers of Portugal. And, if a handful of men could be got to raise a revolt in that country—and in any country newly-revolutionized the thing was not difficult—what would be the result? The French and Spanish troops would march into Portugal, on the same pretext with which the French were now marching into Spain. What, he would ask, under such circumstances, would be the conduct of this country? Should we step forward to aid our ancient ally to whom we were bound by treaty; or would ministers again, yielding to the sophisms of M. de Chateaubriand, leave Portugal to her fate, and observe a strict neutrality? The only conclusion, then, to which he could come, from the facts he had stated, and from their probable consequences which he had assumed, was, that a more vigorous and decisive conduct on the part of his majesty's ministers would have been effectual in checking the war, and would have left this country a much better chance of peace than she could now look forward to.

But, suppose France should not succeed—there would then, in all probability, occur a struggle within herself for the power of the reigning family—a struggle likely to involve the peace of Europe. If such an internal struggle should occur, he hoped to find those gentlemen who were now so fond of neutrality, acting upon their present principles. Looking at the question in whatever way he did, whether as tending to peace or war, he could not but think, that the adoption of strong language on the part of this country, at the commencement, would have averted the danger which now threatened us. The papers now before the House, he had no hesitation in describing as disgraceful to the talent of the country. There was not a child of ordinary capacity, who could not have put together arguments more conclusive, and better calculated to answer their ostensible object. He never saw a set of public documents which showed such a want of common understanding as they did. If the House was prepared to pass a panegyric upon them, or even to say that they did not deserve censure, they must be prepared to sanction every thing that might originate with the ministerial side of the House.—If this question were viewed as far as it regarded the balance of power, he contended, that the influence of France in Spain—if she should succeed in obtaining an influence, would be most injurious in its tendency; that an intimate compact union between those two powers, established on the subversion of the constitution of the latter, would be more dangerous in its nature, than that which had been objected to in the reign of Louis 14th. That was a compact founded upon family ties, and upon a unity of religion; but here the bond of union would be an opposition to the spread of liberal principles, and to reform in every shape; and if, as was unfortunately but too well known to be the case, the other powers of Europe partook of this feeling, the consequences might be most dangerous to the best interests of this country. The disposition of the other powers of the continent was already proved, in their anxiety to get rid of liberal principles wherever they met them—a disposition which even the strongest Tory in this country must deprecate. They had already seen what attempts had been made to check every dawn of liberty in the German states; and how successful the enemies of freedom had been, in procuring the violation, or the delay, of all the promises of constitutions which had been made. If, to the number of these enemies of independence, should be added two despotic monarchs of France and Spain, who had seen the inconvenience of admitting legislative assemblies into their system, it must be expected, that they would do every thing in their power, not merely to shut out the light from their own states, but to join the other despots of Europe, in keeping in check the only remaining power which had a free constitution—he meant England. It was no satisfactory answer to the rational fears entertained on this head to say, as had been said by one of his majesty's ministers in another place—"Why let them come." He thought it would be much better to ward off the danger in time, by preventing their having the power of coming. He thought that by a timely and spirited interference on the part of this country, all chance of a union would have been cut off. But his majesty's ministers had given up that opportunity; and, judging from the papers on the table, he could not but express his opinion, that they had not only neglected their duty, but neglected it in a manner disgraceful and dishonourable to the character of the country. He should therefore vote for the original motion.

Lord *Francis Leveson Gower* said:—Sir, upon an occasion like the present, which naturally calls forth the talent and the eloquence of the most experienced members of this House, I feel that I owe it some apology for obtruding upon its attention a voice which I am fully conscious can have no real influence upon the result of its discussions. Fortuitous circumstances have induced me to take much interest in the affairs of Spain; and the House will perhaps indulge me so far as to allow that it is not unnatural, though it may be presumptuous in me, to wish to hazard the expression of my opinion this night. I shall give, Sir, my zealous vote against the motion of my hon. friend and relative who has proposed the original address to his majesty. I shall not attempt to defend that vote, however, by discussing the wide range of topics which have been necessarily dwelt upon by that hon. gentleman; I shall not presume to expatiate on that extended circle which must be trodden by mightier spirits than myself. There is one point which has, to a certain extent, afforded a theme for doclamation to my hon. friend and his supporters; though I confess, Sir, that from what I had heard in another place, I had anticipated more animadversion on the subject than has yet been bestowed. Be that as it may, my hon. friend has both expressed his own indignation and threatened ministers with a diffusion of that feeling through the country on account of certain measures, and to those measures or nearly to those, I shall confine myself. My hon. friend, Sir, accuses his majesty's ministers of having forfeited, or at least tarnished, the national honour, by recommending disgraceful concessions to a nation in distress. If, Sir, I thought that a minister of this country had united with France, or any other power, for the purpose of violating the rights of any third party inferior in force to both or to either, and with the fairer intention even of executing his own speculative ideas as to the better government of that country, I would give my vote to any motion calculated to inflict on that minister the disgrace which he merited. In this instance, I think the conduct of ministers is free from all such imputation, and I feel desirous of stating why I am led to such a conclusion.

It appears, Sir, from the papers on the table, that certain suggestions were thrown out to the Spanish government, the object of which was one for whose importance I shall simply refer to every speech from the other side of the House. That object was the prevention of war. Now, Sir, whatever was the advice which any one thought proper to give to a foreign state, the first question that I should ask that person, were he in any way responsible to me, would be, were you asked to interfere? Ministers are prepared for that interrogation. "We," they reply, "have obtruded no demand; we have acceded to a formal request, we were asked for our good offices for a specific object, the prevention of war; we gave them; we pointed out the only means by which we thought that object might be attained, and we left Spain to the free exercise of her judgment, as to their reception or rejection." This, Sir, is the simple manner in which the request of Spain was replied to, and it appears to me there was but one other equally simple mode of reply consistent with our friendship for Spain, a promise of armed interference in her favour. Neutrality, Sir, was our policy, a policy in which I heartily concur, but into the merits of which I shall not now enter, but shall take it for granted that it was decided on by the government and sanctioned by the country.

What were these suggestions? If, Sir, I may be allowed to suppose a case, I will for a moment indulge an imagination which I would fain see realized. I will suppose Spain in a state of security and prosperity. If in such a situation, threatened by no unjust aggression, she could, with the view of consolidating institutions founded at periods when action scarce left room for reflection, resolve to call on others for advice, if she could call on the general, who had fought her successful battles, or on any other, if another be, as warmly partial to her interests and as well qualified to assist her with his counsel, I cannot pronounce upon what such individuals might have recommended, but my conviction is, that their suggestions would have been essentially the same as those which were now proposed. I may possibly be told by those who voted, the other night, that our constitution needed improvement, that that of Spain needed none. I should be the last man to produce as argument or authority to this House the scanty information, and crude conceptions of an unpractised traveller, but I must say, that if, before I visited Spain, I could have yielded to such an argument, I cannot do so now.

With regard to the merit of these suggestions, theoretical politicians may differ. A pure republican might, for aught I know, object to that clause in them which tended to invest an individual with some of the attributes as well as the mere name of monarch. I cannot, in deference to such politicians, admit the expediency of running counter to the spirit of a people. In spite of years of disgrace, humiliation and decay, under a succession of the weakest princes that ever reigned, Spain remains essentially royalist. However the frail creature who sways the sceptre of those realms may disgrace his office, his name is still the watchword which arms the most warlike of its population against his foreign enemy and his political adversary. In Spain, Sir, when the cause of any individual, however degraded, is upheld by the peasant, the guerrilla and the contrabandist, it is hard, even with reason on our side, to quell such opponents.

These suggestions, whatever they were, were rejected, I think unfortunately. Unfortunately, because I think they would have prevented war. But not on that ground alone; for if they had failed in preventing hostilities, they were the most obvious means that human counsel could suggest for repelling the aggression. It might be difficult at once to soothe exasperated spirits; it might be impossible at once to unite Royalist and Constitutionalist against invading France; but, under such circumstances, "motos præstat componere fluctus," measures of such a tendency were not to be utterly neglected.

There may, however, be a difference of opinion as to the possibility of those measures attaining their object. Hon. gentlemen may think that an attempt, which to me appears to bear some of the features of a burst of insanity, was concerted with all the determined steadiness of reason; that in the French councils vacillation was unknown, that the rulers of those councils like the swine in scripture were so madly bent on the leap into that country which is the charnel house of half a million of their countrymen, that no such measures could have checked their progress. I Sir, think otherwise. I am convinced that before the die was thrown, before their honour—though I hesitate to give the name to the feelings of such politicians—was fully implicated; before their modern Rubicon was passed, they would have received with avidity from Spain any plausible means of conciliation. I believe, to use a vulgar phrase borrowed from no vulgar ceremony, they were desirous of backing out.

It was, however, Sir, I presume the time at which these measures were proposed that involved a point of honour which Spain could not get over. The Spaniards were certainly the best judges of this punctilio which must produce so vast a sum of human misery. I think that by yielding it they would have given as much satisfaction in Spain as in France. I think that those measures would have fallen heavily upon two parties; upon the fanatic who is contented with nothing less than despotism in the monarch and infallibility in the church, and on the revolutionist who sees in such a war some probability of the subversion of regular government in Europe. But, supposing that such measures could have had the confessedly disgusting effect of giving pleasure to such characters, was all amelioration to be set at rest because their enemies wished it? Was all discussion to be closed till the chances of a war under such circumstances had put it in their power to recommence it? Were they to overlook the risk of losing all, not instead of losing a little but of gaining much? Was the "hoc Ithacus velit, et magno mercentur Atridæ," to be the all prevailing figure of rhetorick that was to confute the arguments of friendly suggestion and silence the clamour of revolted provinces?

There is a peculiarity in the line of argument of my hon. friend which cannot have escaped the notice of the House. He exerts himself to point out the evils of the war, and he blames ministers for exerting their endeavours to prevent that war. What would my hon. friend have said, had those endeavours not been made? I can imagine, Sir, though I may be unequal to express the effusion of reproaches from which ministers would then have shrunk. "Oh you inactive ministers," would the hon. gentleman have said, "you have neutralized the power you possessed of recommending in Spain, your opinions on its interests; you incapable commanders, you have neglected to occupy the post of vantage which lies before for your taking. On your ministerial bench, in the highest council of your country, at your side, and sharer of your measures, there sat the man who had driven the French invader from Lisbon to Bordeaux. The man who by a series of unparalleled exertions had won his naturalization in the country which he had freed, had won a prouder rank among her boasted nobility, than all their blood, "rolling through nobles ever since the flood," could confer. Whatever were his opinions you were bound to give them their full weight at Madrid, you have neglected to do so; the voice of the prince of Cuidad Rodrigo might have been heard by those who were deaf to every other; he who swayed the whirlwind might now have directed the calm, you have lost him the opportunity. Yield in God's name your places to those who, if they are not your superiors in talent at least know better to avail themselves of the talent of others."

It is Sir, from imputations such as these that ministers have preserved themselves, by the measure which my hon. friend has deprecated.

I have taken the liberty of supposing the case of the prosperity of Spain. Into the real circumstances of her internal situation I will not enter. The task of dilating on her misfortunes would be invidious and hateful to my feelings. But I must observe, that though I may spare the House and myself the description of the calamities of Spain, ministers could not spare themselves the contemplation of them. They could not in justice to Spain or to England refrain from calculating the probable consequences of the invasion of that country by France. The Spanish government refused to do so. It may have done well, but I contend, that it acted as no one could have advised it to act who was not prepared to share her dangers, her triumph, or, should it so fall out, her defeat. Should Spain succeed, Sir, as heaven grant she may, I will not grudge that country one particle of her triumph; but at the same time, I will not join in casting the shadow of censure on those who suggested to her what appeared to them the only means of extrication from her difficulties.

Mr. *Wilberforce* entreated the House to consider well the circumstances in which ministers had been placed, and the influence which those circumstances must necessarily have had upon their conduct during the late negotiations. He approved of the manly tone and the plainness of language which had been used in the present debate. Such language not only became the representatives of a free people, but was of manifest advantage, considering the moral jurisdiction which the debates of that House exercised over the public mind. No language could be too strong to apply to those principles which had been avowed by France in support of her unjustifiable aggression on Spain; because they were principles which would have the effect of repressing that rising liberty which the nations of the world at present enjoyed. The conduct of France with respect to the unfortunate Spaniards was marked by singular duplicity. When her attention was called to the affairs of Naples, not a word was said about Spain which could lead to a suspicion that France meditated an attack on that country. But, having thrown off the mask, his majesty's ministers had thought it right to step forward; and he must say, that on looking through the various papers before the House, it appeared to him that they had manifested a sincere and consistent desire to preserve the peace of Europe, and to prevent the unjust aggression against Spain. He could, indeed, have wished to have seen a higher moral tone preserved in those papers. His majesty's ministers seemed to him to have fallen into a mistake which was not uncommon with persons who had to deal with unprincipled men; knowing that such men were bound by no ties of moral rectitude or justice, they had put in operation such a policy as they thought would best answer the purpose of their negotiations. Whereas, they ought to have relied on those high principles which had hitherto pervaded, and he hoped would long continue to direct, the councils of this country. He regretted, that they had not said from the first, not only that we would not co-operate, but that it was contrary to the principles of the British constitution—contrary to the principles of justice, and to the common rights of humanity—that France should persevere in her designs against Spain. But there was one point which had not, he thought, been sufficiently attended to in the course of the present debate. It was this. The desire of ministers being to prevent the war, they were bound in the pursuit of that object, not to use language which might, by exciting in Spain the hopes of assistance from this country, induce her to refuse such concessions as were at once compatible with her interests and her honour, and thereby take away from France the very shadow of a pretext for the violation of her independence. That such concessions might be made, was the opinion of the duke of Wellington. The regard which the noble duke felt for the Spanish nation, the sobriety of his character, and the coolness of his judgment, combined to render his advice of the highest value; and he had advised such honourable concessions, although he distinctly disavowed the principle of national interference. His majesty's government, which had all along manifested a sincere wish to prevent any aggression on the part of France, had thought that, to accomplish that object, it would be sufficient to suggest the dangers and the injustice of her attempt, and by convincing her of our friendly feelings towards Spain, induce her to desist from her unprincipled attempt. With this view of the subject, they had not thought fit even to seem to encourage Spain to withhold that concession. He must remind his hon. friends on the Opposition side of the House, that the conduct of our government had not made that impression upon M. de San Miguel which it had made upon them. That minister had entertained no doubts of our sincerity. If his majesty's ministers had talked to France of principles of justice, could any one conceive that the appeal would have been successful? Their policy was, to induce France to think kindly of their views, to prevent her aggression, and, at the same time, to hold out no encouragement to Spain which might have a tendency to prevent any arrangement favourable to the general tranquillity of Europe. As they had determined to adopt a neutral policy, which, under the circumstances of the country, it was obviously their duty to pursue, it followed of necessity that they should (always having in view the honour and interest of the country) take such a cautionary line of conduct as would avoid giving offence to either. In no view whatever of the conduct of his majesty's ministers did he perceive that culpability which called for the severity which was contemplated by the original motion. It was his opinion that their language at the commencement of the negotiations might have been much stronger, and that with perfect consistency, and perhaps with mutual benefit to all parties. Still he confessed it gave him great pleasure to observe, that hitherto, although many hon. members had loudly contended that a higher tone ought to have been adopted, yet there were very few who had not entirely discountenanced the idea of our entering into the quarrel by arms. It was well known how willing every nation was, to enter into a war, but it was also well known how difficult it was to conclude a war when once it was entered into. Our own experience, and that of history, showed that all wars at their beginning were popular, and the same authorities proved how disadvantageous their results were to the best interests of the countries engaged in them. It was the duty of the king's ministers not to incur any risk of this sort; and consequently not to use any language which might be construed into a promise, or lead Spain to hope, that we would afford her assistance. It should not be forgotten, too, that whatever disinclination the French nation might have against the war with Spain in its present aspect, it was more than probable, that any interference on our part would so change the aspect of that war, as to make it highly popular in France. If France were actuated by any motives of aggrandizement in her unprincipled aggression on Spain, he thought the result would signally disappoint her. Even if her armies should reach Madrid, the difficulties she would have to encounter would only have begun. The people of Spain were emerging from the darkness of ignorance and the bondage of superstition; and it was such blessings as these that France was now endeavouring to perpetuate. With regard to Portugal, France had hitherto not shown any disposition to violate that territory; because she well knew that Portugal was under the protection of England. In case Portugal was attacked, we undoubtedly were bound to defend her. In that contingency England must go to war; and in support of such a war this country would doubtless afford the utmost assistance. In his conscience he was persuaded, that his majesty's government had intended fairly and honestly; and, though they might have erred, through their too great anxiety for the interests of the country, in not preserving that firm tone, which with perfect consistency they might have held, still he could not concur in the motion of censure which had been proposed that evening.

Mr. *H. Sumner* said, he was perfectly satisfied with the line of strict neutrality which was laid down in the papers of the late lord Londonderry, and explained by him to the members of the holy alliance —that line which was perfectly consistent with the interests and honour of the country; and for their observance of which, in perfect sincerity during the late negotiations, he would give his majesty's ministers his warmest vote. It had been said, that ultimately we must be dragged into the war. If so, then he said, the later that event should happen the better. The danger which had been apprehended from the successes of France in Spain, and her placing an army of observation upon the Portuguese frontier, as she had done on that of Spain, seemed perfectly unfounded; because France knew that Portugal was under the protection of this country. Many other topics occurred to him to which he did not, at that late hour, propose to call the attention of the House; but he thought he should not have discharged his duty, if he had not expressed his satisfaction at the whole of the conduct of his majesty's ministers. He therefore gave the amendment his most cordial support.

Mr. *Peter Moore* then rose amidst loud cries of "Question," "Adjourn," "Go on," from every part of the House, and said, that considering the intense interest of the question, and the number of gentlemen who were still anxious to deliver their sentiments upon it, he would move the adjournment of the debate until to-morrow.

The motion was agreed to, and the debate was adjourned till to-morrow.

HOUSE OF COMMONS.

Tuesday, April 29.

Negotiations relative to Spain.] On the order of the day, for resuming the adjourned debate, upon Mr. Stuart Wortley's amendment to Mr. Macdonald's motion respecting the Negotiations relative to Spain.

Mr. *W. Whitmore* rose. He said, he wished briefly to explain the motives which would induce him to vote for the original address. In stating those reasons he should not say that it was the policy of this country to embark in war; still less that it was her policy to hold out a menace which it was not her intention to follow up. His decision was not founded on either of these considerations, but it was founded on the fact, that throughout the whole of the documents which had been submitted to parliament, he was unable to discover a single proof of that sound, open, manly, and independent feeling, which it became this country to express, at the atrocious aggression contemplated by France against the freedom of the Spanish nation. It was not his intention to go through the details of that correspondence, but, looking at it as a whole, he must say, that the right hon. secretary and his colleagues appeared, with respect to France and Spain, not in the character of neutrals, but, unfortunately, as the allies, or, at least, the apologists of France. Wherever a wrong was committed by that government, the British ministry was certain to find an excuse for them. We furnished them with explanations which they themselves never contemplated. What, for instance, was the necessity of our plenipotentiary at Verona admitting that the conduct of the Spanish government might have endangered the safety of other countries, and might have excited the uneasiness of the governments whose members he was addressing? Now, all that might have been very true; but he did not see why an English plenipotentiary should insert it in a memorandum addressed to the sovereigns assembled at Verona. Still some better reason was wanting than any which the French government had given, and which amounted merely to the determination of overthrowing the liberties of the Spanish people. It was accordingly most gratuitously furnished to them; and he really believed that it never entered their heads until it was suggested to them in the notes of the English minister; for nothing had been urged by the French before that time, except the miserable pretext stated in the French senate, that fewer mules were sold than heretofore. He then referred to the speech of the king of France and the letter of M. de Chateaubriand, received by Mr. Secretary Canning, on the 27th of January, 1823, from neither of which could any thing be extracted like a justification of the French policy, except it could be from that part of the French minister's letter which stated: "the Comte de la Garde has received orders to communicate, confidentially, to sir W. A'Court, the king's benevolent intentions. His most Christian majesty demands that his Catholic majesty should, of himself, and by his own authority, apply the necessary modifications to the institutions which have been imposed on the crown of France, by the revolt of a few soldiers." This was feeble enough, but it was presently aided by the admissions, in the communications of the right hon. secretary to sir C. Stuart, of which the French minister did not fail to make his advantage: "We disclaim," said he, "for ourselves, and deny for other powers, the right of requiring any changes in the internal institutions of independent states, with the menace of hostile attack in case of refusal. The moderation of such demands in no degree justifies in our eyes such a mode of enforcing them; and this distinction it is the more important to keep steadily in view, and to impress upon the French government, at a moment when, for their sake and at their desire, we are suggesting to Spain, in a tone of friendly counsel, alterations similar to those which France is proposing as the alternative of hostilities." Taking that answer in connexion with the previous despatch, from which it should appear that his most Catholic majesty was desirous that modifications of his own suggestion should be adopted, he thought the government were in a more unfortunate situation than ever any other government had yet been placed in. He must say, that looking to the whole tenour of this diplomatic correspondence, any one who had not the same confidence in the honour of his majesty's ministers, which he himself entertained, could come to no other conclusion than that they had viewed the cause of France as their own, rather than that of Spain. He felt it necessary to explain to the House the grounds upon which he should vote on the present occasion, in order to guard himself against the imputation of inconsistency; because that vote would differ from the one which he had given on a former occasion, somewhat similar—he meant with respect to the affairs of Naples. He had given that vote upon the most honest conviction; but he must confess that he had done so in the absence of that information upon which it should have been founded; and he had never, in the course of his life, regretted any step more sincerely than that which he had taken on the occasion to which he alluded. The attack upon Naples he considered as the beginning of a system, the most fatal that had ever yet got into the heads of kings and emperors—a system altogether subversive of every thing like liberty, and decidedly hostile to the rights and the institutions of every free people. It had contributed to give to the allied sovereigns an undue and unwholesome ascendancy; and now that they began to feel the power which they had thus gained, they displayed the strongest desire to abuse it. They evinced an unequivocal disposition to attack liberty, in every shape in which it could possibly appear. Nor were their encroachments bounded even here. They tended, with an alarming rapidity, to territorial aggrandizement. It might be said, that this was not to be feared; that the indignation of other nations would be roused, and that surrounding governments would, for their own preservation, defeat the attempt as soon as it should be made. But, had we never heard of partition? Had we never heard of that sovereign method of tranquillizing scruples by sharing the booty? Did any man believe that the allied sovereigns, once finding themselves the lords of the ascendant, and able, in the plenitude of their power, to compass any measure which their ambition might suggest, that they would stop short in their career? It would be to distrust all past experience—all knowledge of the effects of undue power upon the rulers of states—to suppose that they were not ready again to commence those violations of the rights of constitutional freedom, and of territorial property, for which they only waited for a favourable opportunity. All history proved the reasonableness of these apprehensions. To take a recent and pertinent instance, he would direct the attention of the House to the conduct of Russia, whose mischievous and encroaching policy it seemed always to have been to embroil nations in a quarrel, and then to avail itself of that quarrel as a pretext for the seizure of its territory. The invasion and spoliation of Poland by the empress Catherine could never be forgotten. If an immediate stop were not put to the possibility of such a practice, it would only be necessary for Prussia or Russia to excite an insurrection in some neighbouring state, to call it a *casus fœderis*, to apply to it the principles of the holy alliance, and to take possession of the country. It was for these reasons that he now expressed his conviction—not that it was the policy of the government to enter into a war—but that if there ever was a time at which it became them to vindicate manfully and boldly the principles of independence, this was that time. He called upon the House to show—and they could only show it by a strong division on the question before them—the opinion of the people of England, that if these principles of unjust aggression were to be acted upon—at whatever risk, at whatever peril, under whatever unfortunate and unfavourable circumstances—they would be compelled to take part with the oppressed against the oppressor. To do this, the House was not called upon to decide upon the question of peace or war; but to express strongly and deeply, that feeling by which the government of the country should be animated, and which, if it had been previously adopted, would, he believed, have afforded an adequate protection to Spain, without involving this country in a war. He deprecated war; not because England was not in a situation to enter into it, for he knew that her resources were fully adequate; but because he was convinced that, under existing circumstances, peace was as much her interest as it ought to be her object. He knew that she had not only the spirit, but the means and the strength to carry her triumphantly through any struggle in which she might engage.

Mr. *Disbrowe* contended, that the language of the British diplomatists during the late negotiations had been throughout consistent with the end which the British ministry had in view. In a confidential note from the pen of the late marquis of Londonderry, which did honour both to his heart and head, the policy of this country was distinctly laid down to be that of non-interference. At the congress of Verona the duke of Wellington was instructed to declare, that come what might, this country would not be a party to any interference with Spain. Nothing could be more intelligible than this language, and nothing stronger could, he thought, be required of us. If we refused interference on one side, how could those who justified our doing so contend that we ought to interfere on the other? We had remonstrated: beyond remonstrance nothing remained for us but to menace; and if we were not prepared to back our menace by war, how could it be contended that we ought to have assumed a dictatorial tone? The hon. member for Westminster was the only one as yet, who had advocated war; but if they were to make war on an abstract principle, he should wish to ask what that principle was? If, as the ally of Spain, he should wish to ask, of which part of Spain; for it was admitted that she was agitated by internal divisions. He did not, however, believe that Spain was divided in the manner that she had been represented to be by an hon. member; namely, that all the intellect and worth of the nation was on one side, and all the fools and bigots and knaves on the other: and in support of this opinion, he could adduce the authority of count Torreno, one of the greatest liberals in Spain, who had avowed that his own party was the smallest but that they made up in activity what they wanted in numbers. The hon. member concluded by declaring that he must disclaim all interference on our part as equally useless, impolitic, and unjust.

Captain *Maberly* said, he was one of those who felt considerable dissatisfaction at the whole tone and character of these negotiations. He considered that both in the manner in which they commenced, and in the conclusion in which they terminated, they were wholly incompatible with the honour, the dignity, and the policy of this country, and had more deeply committed our eventual interests, than those who conducted them had any conception of. He should touch but lightly on the details of these documents, contenting himself with observing, that it was impossible to account for the manner in which the British plenipotentiary had met the communication of the hostile intention expressed by France against Spain. To that communication the noble duke should have answered in stronger terms of reprobation. Was not such a line of conduct called for, after the declaration the right hon. secretary had made of his fears, that the meditated aggression of France would embroil Europe in war? After such an avowal, was it not most natural to expect, that the noble duke would have met the hypothetical proposition of the French minister, with stronger language. Was it sufficient, under such circumstances, merely to say, that the king would be no party to such a proceeding, or that no course remained but to limit his majesty to the tender of his good offices to allay the irritation that existed between France and Spain? — Good offices forsooth? Could we consider it a tender of good offices, to stand cold and insensible spectators of the grossest injustice that one nation could commit against another? With equal propriety might we tender our good offices to allay irritation when we saw one individual proceeding to commit an unprovoked outrage against an unoffending person. It was idle to say, that if we possessed the inclination to exert it, our influence and interposition would not have been successful. The manner in which France, or rather the ruling power in France, conducted itself towards Portugal, was a decisive proof that if the English ministry had interposed for Spain, equal success would have followed the exertion. It had been stated, that the distance of Portugal from France precluded any danger to the latter from the influence of the Portuguese revolution. But that was merely a pretext. What, he would ask, was the real cause? It was because the ruling power in France well knew that Great Britain was bound in a defensive alliance with Portugal, and that if France attacked her, she must be prepared to contend with the power, the influence, the moral influence, and physical force of Great Britain. That was the real ground of the French hesitation with respect to the Portuguese, and in adhering to that resolution, both the government of France and the members of the holy alliance abandoned the principles on which they justified the aggression against Spain. In adopting their present constitution, the Spaniards had only taken up an institution which they found in their own history, during the most memorable war that had, perhaps, ever been waged. The constitution had been recognised by England and Russia, and finding that their king, when he came back, did not ratify his oath, but sought to destroy the Cortes, they had bravely and wisely established that constitution, than which they saw nothing better adapted to their condition. How stood the comparison with regard to Portugal, after her revolution? Portugal had no free constitution, there was no precedent in her history of free institutions. Her new constitution had never been guaranteed by either Russia or Great Britain; and above all, the alteration had been effected by what was called military insurrection. If, therefore, there could be found a justification for interference in the concerns of a foreign state, it was against Portugal rather than against Spain, that those principles should have been carried into action. But then the distinction was this—and it was decisive of the argument—that Portugal was shielded by the force and influence of Great Britain. With respect to the possibility of inducing Spain to yield to any modification of her constitution, he must say, that above all men the duke of Wellington ought to have been impressed with the persuasion that the pride, the haughtiness, the obstinacy of Spain, would not allow her to yield to the menaces of foreign dictation. But, it was probable that the exertion of the good offices of Great Britain would have effected that modification. [Hear, hear!]. Were these good offices to be applied to induce Spain to accede to the *sine qua non* of the ruling party in France? Was not that *sine qua non* the institution of another chamber? Why was not that chamber adopted by the cortes in 1812? It was not adopted, because they well knew that they had not the materials for such a chamber, and that by a fundamental law of the constitution, they were prevented from making any alteration for a given number of years. Supposing, however, that the Spanish cortes was willing, and that the law did not oppose the modification, had not the ruling power in France—for he wished always to distinguish it from the people of France—gone the length of stating how that modification was to be carried into effect? Was it not proposed that the king should nominate the council of state, and that the council of state should compose the second chamber? Every member of the cortes knew, that in accepting such a modification, he was compromised. Every man of them knew that one and all would be implicated as authors of the revolution—that the very act of giving to the king of Spain the power of nominating the council of state, was, as to themselves, the sacrifice of life or personal liberty—that they might as well at once lay their heads upon the block, or prepare for their destruction, condemned as galley slaves—or doomed to the inquisition of Valencia—or to pass the remainder of their lives in degradation and servitude in the presidios of Africa [Hear, hear!]. That was his particular opinion—acquired from good sources of information on the spot. Whatever hopes might have previously existed as to the continuance of peace, he knew well, from the moment the king of France's speech was announced, that further negotiation was wholly fruitless. Every man then residing in the capital of France—every man who attended to passing transactions, or took an interest in the great question at issue—was from that moment convinced that war was certain. Every attentive observer saw clearly the objects which the ruling power of France, most clearly contradistinguished from the people of France, proposed to themselves. Their object was, to reinstate themselves in their lost privileges. They thought they could not do this without the aid of an army. They believed that when once an army had fought and bled in their cause—when once they had attached them to their pretensions by the distribution of honours and rewards—that they might rely upon their implicit support in crushing the slender remains of liberty which the people of that country still enjoyed. It was impossible to deny that this was the policy of the ruling party in France—that party, not of the nation but of individuals, who aimed at re-establishing the feudal rights, at restoring the property of the *emigrés*, and the tithes. Could any one look at the recent law of election without believing this—that law by which the nomination of the members had been, in point of fact, vested in the hands of the government? together with the law of the press, that most disgraceful of all laws, under the vague and accumulated terms of which punishments by imprisonment for two or three years, suspension during pleasure, and the final suppression of journals? When they saw that no safeguard was left to the liberties of the people, the trial by jury being taken away, and the decision being vested in the hands of judges, from whom, owing to the inferiority of their situation, all responsibility was removed, was it not plain that the object of this ruling party in France was to put down all liberal ideas, and to get the power into their own hands? With regard to the fate of the war, it was impossible for any man to form an opinion upon it. At that moment, all who had weight, property, and respectability in Spain, had abandoned their dwellings to the invaders, and retreated to situations of greater safety. But, what would be the issue if the French were successful, or if they were unsuccessful was equally embarrassing. If they were successful, this country would behold the sad scene of liberty annihilated on the continent: if unsuccessful, they would witness the march of those Austrian and Russian armies, whose bayonets were to be employed in the destruction of liberal opinions. It then became a most serious question to England, whether she would take part in the war, or allow the holy alliance to put down national freedom throughout Europe; nay, to subvert our own constitution, whenever those despots dared to attempt it? In conclusion, the hon. member expressed his determination to vote for the original address; and he would do so, because he thought the negotiations had been carried on by ministers in a manner which by no means corresponded with what the dignity and interest of this country demanded. The consequence was, that Great Britain was placed in a situation of temporary cessation of hostilities, rather than of permanent and durable peace.

Mr. *Curwen* said, that he, and every one of his hon. friends near him, who had, for many years past been calling the attention of the House to the distressed state of the country, must feel what a dreadful responsibility ministers would have incurred, if they had involved Great Britain at this moment in a state of warfare. What he asked, would have been the feelings of gentlemen around him—what would have been the expression of sentiment throughout the country—if ministers had taken this step? Under the peculiar circumstances of the case, the House, he thought, were bound to look rather with a favourable eye to the conduct of ministers, than to view their proceedings with feelings of hostility. For his part, he entirely approved of the line of strict neutrality, in the present circumstances of the country. He confessed he could have wished that a stronger expression of moral feeling had been used by ministers; but the question was, whether if they had adopted that tone, it would have prevented the war? He conscientiously believed that it would not. The hon. member for Westminster had stated last night, that his constituents would willingly undergo any privation for the purpose of carrying on the war. ["No no."] He understood the hon. member to say, that his constituents would cheerfully encounter any difficulties that might attend a state of warfare. He knew not what the feelings of the hon. member's constituents were, but he was decidedly of opinion that his own constituents would not willingly suffer the privations which a war would necessarily bring along with it. The general feeling of the country was, he believed, for peace. He did not, however, mean to say, that execrations against the conduct of France, and good wishes for the cause of Spain, did not prevail in every quarter; but he well knew, that the great body of the people looked to a state of war as a most awful visitation. Under these circumstances, he should not have acted honestly if he had not thus frankly spoken his sentiments, and he should certainly give the amendment his cordial and hearty concurrence. [Hear, hear!].

Mr. *Hobhouse*, in explanation, denied having said, that the majority of his constituents were desirous that the country should now go to war. What he had said was, that if his majesty's government had entered a strong protest against the proceedings of France at the congress at Verona, and in consequence of that protest had been obliged to go to war, the majority of his constituents would readily submit to any privations to which such a course of policy might have led; but he had qualified that assertion by adding, that it must be clearly understood that it was a war for the liberties of Europe;—that it was a war of the people of Europe against the kings of Europe.

Mr. *Robertson* said, he was most desirous that peace should be preserved to this country, but not such a delusive peace as that which was now maintained. This country, throughout the whole of the recent proceedings, had not been treated with the respect which was due to her. The voice of England had not even been attended to in the course of the negotiations. The powers which were in the hands of this country, and which, if properly wielded, would have afforded protection to commerce, and commanded security with respect to foreign nations, had been thrown away, and negotiations appeared to have been carried on, from motives of private friendship and private feeling. The boon held out in 1821, for the purpose of conciliating the emperor of Russia, by laying a heavy duty on our own timber, and thus encouraging the trade in Russia timber, had not been met by any corresponding indulgence. Russia had increased the burthens on the commerce of this country, and in particular, had given a preference to the sugars of other nations. In the instructions of the marquis of Londonderry, previous to the occupation of Italy by Austria, it was simply stated, that this government could not be a party to the project then set on foot. But, if the noble marquis had used a different tone—if he had stated, not only that England disapproved of the occupation of Italy, but that, if she had it in her power she would assist the Italians, and that the distance alone prevented her from taking that step, he was convinced, that France would not now have dared to attack Spain.—With respect to the negotiations at Verona, he would ask, whether the duke of Wellington, a soldier from his infancy, was a fit person to negociate with men who had been all their lives attached to the courts of despots, and who were in the constant habit of declaring, that they held opinions which found no place in their breasts? In his opinion, the duke of Wellington might have avoided stating so openly that this country meant to remain neutral. Had he done so, he might have negociated with more effect. Considering the danger which the invasion of Spain might create, with reference to the French government and the French king, this country ought boldly to have said—"We will not allow you to occupy Spain: we have placed the king of France on his throne, and we will not suffer you to do an act which may mar our preceding exertions. We will oppose you, because we are bound in honour and justice to oppose you." He had no doubt, if such language as this had been held, that ministers would have secured a permanent peace. That was the tone of negotiation which he should have liked: and it was because that tone was not adopted that he should vote for the original motion. But, even had we been compelled to go to war, we could have done it without much expense. In the first place, it was his decided opinion, that we ought never to send a single soldier to the continent. In the next place, the expense of keeping up the hulls of our ships in dock was as great as keeping them up at sea; so that the only increase of expense would be in manning and fitting out. We had a sinking fund of five millions. At the present reduced price of things, half that amount would be sufficient to fit out a fleet superior to what the French could fit out. If we supplied the eleven millions of people in Spain, hostile to France—allowing the other million to be aristocratically inclined—with the munitions of war, they would do the rest. If it were said that Russia, Prussia, and Austria would, in that event, join France, he asked, where would they find the money to enable them to do so? Nor did he believe that any of those powers would think of advancing an army into Spain. Spain might obtain what loan she pleased in this country. He did not mean that we ought to act as imprudently on that subject, as we had formerly done with reference to Austria and other powers. But we might have security. We might have Minorca, or the Spanish settlements in Africa placed in our hands, as securities for the repayment of the loans. His majesty's ministers had endeavoured to alarm the various interests of the country, with the apprehension of suffering in the event of war. But how? With respect to our merchants, France at present took no manufactures from this country. Commerce, therefore, would not lose any thing by a suspension of intercourse with France; while our merchants would gain materially by the disposal of the munitions of war to Spain. As to the landed interest, the war would certainly not occasion any fall in the value of agricultural produce. He was at a loss, therefore, to understand how the country generally could sustain any serious injury from war, although partially it might do so. But, whatever might be the amount of that partial injury, what man of any foresight could put it in competition with the danger to which England would be exposed, if France, becoming possessed of Spain, were to occupy the whole line of coast from Calais to Parma? By our present conduct, we were, in his opinion, sacrificing the last hold we had on the continent. Shut out from Spain, we should not have a single friend left. With these views of the subject—views adopted on the coolest consideration of it—he should certainly vote for the original motion.

Mr. *John Williams* expressed his surprise, that none of his majesty's ministers had yet addressed the House on this question, but said, that he supposed, from the cheers with which they had received the speech of the hon. member for Cumberland, that they remained satisfied with that hon. gentleman's arguments. The question on which the House were called upon to decide appeared to be reduced to a comparatively small compass. At least this was certain, that from the commencement of the debates on this subject, from the evening when the right hon. the secretary of state for foreign affairs, in all the forms of oratory, and with some of the ceremonies of religion, deprecated the success of the French in their invasion of Spain, down to the present moment, there had been but one consentient opinion, and he was proud to say it, as to the nature, quality, and character of the enterprise undertaken by France against the Spanish people. Every hon. gentleman from first to last, had spoken of that enterprise in a tone and in language befitting an English House of Commons. It was acknowledged by all, that the conduct of France was in every respect calculated to excite odium, and provoke execration; that it united in itself all that was detestable in hypocrisy, and all that was disgusting in violence. That being the case, it seemed to follow as a matter of course, that at least a stronger tone of remonstrance—one more suitable to the gross injustice and flagrant atrocity of the case—might have been resorted to by his majesty's ministers; and that if such a tone could with prudence have been adopted, the occasion was one which fully required it. The only question, then, which remained behind, was the question of prudence. For, notwithstanding the cheers with which the hon. gentlemen opposite received the speech of the hon. member for Cumberland, he must deny there was any such question before the House as the plain and simple one "Are you for peace or are you for war?" Such an argument was merely diverting the attention of the House from the real subject before it. It was giving the go-by to the material question to be determined. The true question was, not whether if other language had been adopted in the course of the negotiation, it might or might not have been followed by war; but, whether the present tranquillity, which had been purchased by the mild language which had been used (for if any violent language had been used it was to the unoffending party), was worth even half a year's purchase? If there was any reason to apprehend that a tone of a firmer nature might have prevented the breach of the peace of Europe, from which such dreadful and extensive consequences might be expected to follow, then he contended, that the hon. gentlemen opposite would gain nothing by turning round and asking, whether his hon. friend, and those who thought with him, were for peace or for war? He maintained, that firmer language ought to have been held by his majesty's government. The question was not, whether or not firmer language would have prevented the invasion of Spain? That breach of the peace of Europe we knew had been committed; and, where the war would stop, who could say?

Having said thus much, he would now beg leave to refer to a few of the documents, in explanation of the reasons which induced him to support his hon. friend's motion. In the first place, he wished to call the attention of the House to the very different manner in which the two, now unfortunately contending parties, had treated the attempts at interference on the part of this country to preserve peace. In the truly affecting despatch from M. de San Miguel to the Spanish Chargé d'Affaires in London, dated November 15, 1822, after expressing the gratitude of the Spanish government at the determination of Great Britain, not to interfere in the domestic affairs of Spain, M. de San Miguel expressed his surprise, that the court of London did not manifest its interest for its ally, by visible acts of friendly interposition, and then proceeded thus:—"The acts to which I allude, would in no wise compromise the most strictly conceived system of neutrality. Good offices, counsels, the reflections of one friend in favour of another, do not place a nation in concert of attack or defence with another—do not expose it to the enmity of the opposite party, even if they do not deserve its gratitude; they are not, in a word, effective aid, troops, arms, subsidies, which augment the force of one of the contending parties. It is of reason only that we are speaking; and it is with the pen of conciliation that a power, situated like Great Britain, might support Spain, without exposing herself to take part in a war, which she may perhaps prevent with general utility." This was all that Spain required of Great Britain—it was only that small particle of attention, that slight preponderance of good opinion, which was solicited by the Spanish nation; and yet slowly, indeed, was it administered! Such had been the language of Spain. What was that of the French minister? In Mr. Secretary Canning's despatch to the duke of Wellington, of the 6th of December, prior to the offer of his majesty's mediation, Mr. Canning informed his grace, that the French minister "had taken several opportunities of expressing to sir C. Stuart his earnest desire for the preservation of peace, and his wish to receive, not only the support but the advice of the British government, in his endeavours to preserve it." Here it was held out, that there was a possibility of explaining away the causes of difference between France and Spain. Accordingly, the House would find in the despatch from the duke of Wellington, of the 17th of December, that his grace had on that day made a distinct offer to the French government of his Britannic majesty's interposition for the purpose of endeavouring to adjust the differences between France and Spain, and to preserve the peace of the world. He begged the House to mark the reception which the duke of Wellington's offer experienced from the French government. Not only was it contemptuously rejected; but, as if to refuse it contemptuously once was not enough, at the distance of a fortnight, another contemptuous rejection took place; and that, be it remarked, of an offer which the French government had themselves invited. What was the language used by the French government on the first of those occasions? The House would find it in the note from the duke of Montmorency, dated the 26th of December. After stating the reasons which induced the French government to decline our mediation, it went on thus:—"His most Christian majesty, who was bound to weigh these considerations maturely, has therefore thought that he could not accept the mediation that his Britannic majesty has been pleased to propose to him. He sees, however, in this proposition a new pledge of conciliatory disposition of the English government; and he thinks that with such feelings, that government may render essential service to Europe, by offering, in the like manner, to the government of Spain, advice, which, by leading them to entertain more calm views, might produce a happy influence on the internal situation of that country!" This was, in plain terms, dictating to England to go to Madrid with her mediation; for that in Paris it was not required. Again, the French government immediately after held the same language. In the answer of the viscount de Chateaubriand, dated the 23rd January, to the further offer of the good offices of his Britannic majesty, made by Mr. Secretary Canning to the French Chargé d'Affaires in London, was a kind of epigrammatic sentence, as follows:—"France would not have hesitated, in concert with her allies, to accept the mediation of England, if the discussion of specific interests were in question; but it is impossible to establish a basis of negotiation upon political theories, and of arbitration upon principles." Thus it appeared, that although France had previously solicited the friendly interference of England, and Spain had expressed her readiness to avail herself of it, yet when the duke of Wellington made a distinct offer of that interference, it was scornfully rejected, and his grace was recommended to go to Madrid, where his advice was not wanted, and give a lecture to the people of Spain! Accordingly, at no very distant period, novel as the proceeding might appear, his grace adopted the recommendation of the French government. The nature of the noble duke's despatch, or rather missive, on the subject, could not have escaped the notice of the House. The House would permit him to ask, whether this was not most extraordinary? Here were two parties, one who had committed no offence; and the other, meditating unprovoked and violent aggression. The natural course would have been, to mediate with the party about to perpetrate the mischief; and not with Spain, which was destined to be the victim of it. Spain, throughout, had solicited the good offices of England. There was no necessity of urging moderation to her, she had been all along moderate. Why select her, to read to her a lecture on the necessity of forbearance? Why not have reserved that address for the oppressor, and not the oppressed? It was suited for those who were about to be the perpetrators of spoliation, not those who were to be the endurers of wrong. Unfortunately, such was the course the duke of Wellington was instructed to pursue—to turn his back upon France, where remonstrance was indispensable, and to commence lecturing Spain, who was complaining of an armed invader. It was as if the noble duke had determined to compensate himself for the refusal he had received at Paris, by giving the full force of his advice, *in extenso*, to the good people of Madrid. And let the House remark the tone and language in which that advice was given. He alluded to the despatch from the duke of Wellington, which accompanied or followed lord Fitzroy Somerset, in his special mission to Madrid. After stating, that "the family connexion between his Catholic majesty and the king of Spain, would occasion a perpetual irritation between the two countries, so long as the situation of the king of Spain was not what it ought to be," his grace proceeded in the following remarkable, and, in his judgment, most lamentable terms: "Thus, then, those Spaniards who really desire the peace and welfare of their country, must look to an alteration of their constitution, which shall have for its object, to give the king the power of executing his office. I confess that I do not see any objection to this alteration, either in the antecedent conduct of the king, or in the apprehension that his Catholic majesty will abuse the power thus confided to him." What! did not his grace perceive any thing objectionable in the interference of France with Spain on such a subject?—What said Mr. Secretary Canning in his despatch to sir C. Stuart, dated January 24? "Assuredly, the more enlightened part of the government, or of the cortes of Spain, does not believe the Spanish constitution of 1812 to be, in all its parts, usefully and permanently practicable. But if there exist imperfections in the frame of the government of France or of England respectively, should we consent to reform those imperfections on the demand of a foreign power, and under the menace of a foreign war as the penalty of our refusal?" He could not find that at any period the noble duke who represented this country at Verona, had made any allusion to the antecedent conduct of the king of Spain. Did the noble duke recollect, that that monarch had, at one period, basely abdicated his throne; and that, when restored to it by the exertions of this country, aided by the people of Spain, he had rewarded his faithful subjects, by sending to the dungeon, or into banishment, those who had been foremost in restoring him to a throne, which he had fled from with dishonour? Did the noble duke mean to say, after this, that he saw nothing objectionable in the antecedent conduct of the king of Spain?

He would now come to another point in which, in his mind, the 'vantage ground was given to the aggressors, while we took from the Spaniards the ground of defence upon which they ought to have stood; namely, their undoubted right to protect the free institutions of the country. The noble duke, in his answer to the questions of the French plenipotentiary, said as follows—and he begged the serious attention of the House to the mildness of language used by his grace in answer to the questions proposed by those abettors of the most fixed and rooted oppression. —"Such an interference"—speaking of that of France in the affairs of Spain—"always appeared to the British government an unnecessary assumption of responsibility; which, considering all the circumstances, must expose the king of Spain to danger, and the power or powers which should interfere, to obloquy, certain risks, and possible disasters; to enormous expences, and final disappointment in producing any result." Thus mildly, thus temperately, did the noble duke express himself in alluding to the conduct of France towards Spain. Was this, he would ask, a language calculated to express the indignant feelings of a free nation, at witnessing the unparalleled aggression of France upon Spain? But, it did not rest here. The noble duke went on to state what he thought of the Army of Observation—an army which was first assembled under the false pretence of guarding against the introduction of he knew not excite, and which —as the event proved —had excited the feeling and sentiments of every hon. member in that House. They knew also that, if a different course of policy required it, the enthusiasm of the country would have enabled ministers to enter at once into a war. But, it was for this very reason that it became peculiarly the duty of his majesty's ministers to act with the utmost possible caution, in selecting the course which it would be most advisable to pursue. He could not therefore agree with the hon. and learned member who had just spoken, in thinking that the mere question of peace or war was not at present matter of serious consideration; because he felt that the conduct of his majesty's ministers was to be tried, with reference to this preliminary question. And, supposing that the policy of the country was the preservation of peace, then would arise the question, whether the course pursued by his majesty's ministers was the best calculated to avert that great calamity—a war. He called it a great calamity, and he thought he was justified in so designating it; because, looking to the state of Europe generally, and looking to the state of this country in particular, he felt that if ever ministers had a paramount duty to perform, it was that of maintaining for Europe if possible; but should they fail in that, for this country at least, a state of peace and tranquillity.

With respect to Spain, he must—without at all defending the right which any one country assumed of enforcing a constitution upon her neighbour---observe, that if called upon to take a part in the quarrel of that country, we must, in doing so, act with one portion of the population, and against the other. He knew it had been said on a former evening, by the hon. member for Westminster, that all the educated and well-informed persons in Spain were in favour of the constitution, and that there only remained opposed to it, the priests and the most ignorant of the peasantry of the country. This might be, and perhaps was very true, and yet it did not shake his (the Chancellor of the Exchequer's) position. If the priests, and the other persons opposed to the Spanish constitution, were ignorant, it was more their misfortune than their fault; but, whether ignorant or not, we, in joining the constitutionalists, must necessarily oppose those priests, and thereby cause a civil war in Spain! In making these observations, he begged not to be considered as in any way opposed to the cause of freedom or a free constitution [Cheers from both sides of the House]. He knew not how he could pretend to address a British House of Commons, were he for a moment to deny that the possession of a free constitution was a blessing to Spain, as it must be to any other country. Would any man venture to say that his majesty's ministers, in the course they had taken, had manifested any indifference to the cause of liberty, or had shown any reluctance to extend to other countries that freedom which the people of this country so happily enjoyed? He begged to assure the House that this was not the principle upon which his majesty's ministers had acted. If they had shown any hesitation in interfering in the affairs of Spain, that hesitation had been much increased by the reflection, that there existed a civil war in that country, and that the success of one party could not be achieved without the dispersion, if not the annihilation of a considerable portion of the population. England could have taken no active part in this dispute, without placing herself between two contending factions, and exciting the one half of the population against the other; and this, too, without the power of securing success to the party whose cause she espoused. He did not, he confessed, pretend to say that he looked to the present situation of the states of Europe with any thing like satisfaction. He thought the result of the events of the last five and twenty years had given rise to a state of things on the continent, from which it was clearly our interest to keep aloof [Hear, hear!]. There were contests now going on in Europe—not like those of former days, when the matter in dispute was the possession of some paltry province---but contests between revolution on the one hand, and the exercise of power on the other. And that was a state of things which, as the friend of liberty, he deeply lamented, seeing that it was a state highly injurious to liberty herself. The House must perceive that they could not consistently embark in a war with power against freedom; but they ought, at the same time, to take especial care that they did not side with revolution against existing establishments [Hear!]. This was a feeling which ought to make every man cautious how he adopted or recommended a course of policy which would lead to such a result.

From all that he had seen and heard, he was the more fully convinced that peace was the policy which ought to be pursued by this country. He did not mean to say that this country was so disabled by her former exertions as to be prevented from embarking in a war, should her honour or her interests make such a measure necessary; but he felt convinced, that every thinking man in the kingdom would feel with him, that the real interests of the country required that we should, if possible, remain in a state of repose. Every man in his senses must perceive that we ought not again, unless in case of an over-ruling necessity, plunge ourselves into a war, of which no man could pretend to point out the termination. An hon. member had asked, why we should be so afraid to go to war? "It would," observed the hon. member, "be but a small war; we should incur but a small expense in fitting out a fleet, with which to put down the navy of France. And by this means we should put down our army and put forward our navy." Good God! who was there, who, when once the flame of war was kindled, could pretend to point out when it would be extinguished? Once embarked into a war, and who could venture to say to what particular description of force we should be able to confine ourselves. It had been said, in an early stage of that discussion, that his majesty's ministers had gulled and deluded the country, in pointing out the danger, the difficulty, and the expense of embarking in such a war at present. This he totally denied. But they would, indeed, have deceived and deluded the country, if they had proposed to embark in a war, upon the ground that it would be conducted upon this or that principle, that it should be carried on upon a small scale, and at a cheap rate, because the naval force only would be employed. This, indeed, would be a delusion, a gross delusion, upon the country; for no man in his senses, if we were once embarked in war, could pretend to state what would be its nature, its extent, the expence attending it, or its probable duration [Hear!].

Why, then, if this principle was true—if there was something in the situation of Spain—if there was something in the general state of Europe---if, above all, there was something peculiar in the state of England itself, which ought to make them cautious in embarking in a war, then he contended, that these were strong, and as yet unanswered arguments, against adopting a course, except in a case of the last necessity. Then he said, that they were bound to look to and decide upon the alleged misconduct of government, with reference to that principle. If it could be shown that the entering upon a war, abstractedly speaking, was a mere matter of indifference to this country; or, if it could be shown, that we could gain any thing by such a step, then was blame to be attributed to his majesty's ministers. But, if it was once admitted, that peace was our policy, the next inquiry was, whether, in the late negotiations, his majesty's ministers had taken the course best calculated---first, to prevent any war, and their efforts to that effect being unavailing, whether they had used their best endeavours to prevent our participation in it? His majesty's ministers were called to account upon this occasion, not for having unnecessarily plunged the country in war; not because they had not taken the necessary steps to preserve the peace of this country; but because they had not taken what were considered the necessary steps to prevent a war between two powers --- between whom there existed causes of irritation which had a strong tendency to involve them in hostilities.

One hon. member had complained, that, during the late negotiations, his majesty's ministers had not assumed that high tone of remonstrance which became the government of this country. Now, it appeared to him, that there was some difficulty in clearly defining and understanding what was meant by a "high tone of remonstrance." Some hon. members might imagine it was to be found in the angry and vehement declamation of the noble member for New Sarum (lord Folkestone): others, that it ought to be couched in the violent invective and bitter sarcasm of the hon. and learned member for Winchelsea (Mr. Brougham); while a third would, perhaps, be of opinion, that it was to be discovered in the refined and epigrammatic satire of his hon. friend the mover of the original address. But under such conflicting opinions how were they to come to a decision? It was true, that nothing was more easy than to deal out the harshest terms, the grossest invectives against foreign powers; but, would any hon. member maintain that it would be right to pursue a similar course in diplomatic negotiations?---Let him not be misunderstood. He was aware that every English representative had a right to use what language he pleased, without any other restraints than those which a sense of propriety imposed upon him [Hear, hear!]. But, it was impossible not to suppose that such expressions were used because they were felt, and because the person who used them wished to impress upon his hearers that they were deserved by the parties to whom they were applied. How then, he would ask, could such language be introduced into diplomatic negotiations? Although our ministers might be opposed to the wishes and objects of other powers, and, perhaps, displeased with their conduct, still they must not forget, that those powers had feelings and prejudices---that they had national pride, and national character to sustain. They were, therefore, bound in all negotiations with foreign powers to make use of such language as was least calculated to irritate or give offence. Upon such occasions ministers were bound to consider first the situation in which they stood, and secondly, the objects which they had in view! And, if our line of policy was to induce other powers to abandon any course which they had adopted, how could we do so better than by using the language of moderation and rational persuasion? The hon. member for Westminster had last night told them that the great powers of the continent were enemies to all revolution.

Mr. *Hobhouse.*—I said that all the great powers of the continent were enemies to freedom.

The *Chancellor of the Exchequer* proceeded. He did not object to the correction of the hon. member: but if those great powers were adverse to the extension of freedom—an ignoble feeling, and one which he did not mean to defend—still if we had to deal with powers, who, from the nature of things, entertained adverse opinions, it became our duty to shape our arguments in a manner the best calculated to carry persuasion and conviction with them. Nothing could be gained by invective; while, on the contrary, much might be done by pointing out the danger likely to arise from any attempts to repress that natural liberty which he firmly believed, must, in spite of all efforts to the contrary, take place in the natural course of things, and in consequence of the great increase of general knowledge. His object was simply to point out the precise situation in which his majesty's ministers stood during the late negotiations, and to let the House see whether they had pursued that course which best became this country. Ministers having found themselves united to those powers who had at one time opposed us, hailed their alliance as opposed to France the common enemy. The great power which governed that country having been overthrown, an alliance of the closest nature was entered into, not an alliance upon an abstract principle, but emanating from a fear of what might subsequently take place; for it was impossible to expect that, after the convulsion which Europe had undergone, every thing could at once settle down into calm and quiet. Therefore it was, that the great powers of Europe had combined. Our connection with them was of a singular nature. The war with France being ended, we could not turn round and say to those powers, "We will have nothing more to do with you. We will, to use the words of an hon. member, "cut the connection." But, while he maintained that the language to our allies should be that of persuasion rather than that of menace, did he admit that this country had made no remonstrance against the aggressions of France? Did he admit that ministers had not forcibly pointed out to those allied powers the dangerous consequences likely to result from such a course of proceeding? Did he admit that ministers had not decidedly opposed themselves to the projects of those powers? No. The conduct of his majesty's ministers had been of a diametrically opposite nature. In proof of which, he referred the House to the two last paragraphs of the confidential minute of his late noble friend (then viscount Castlereagh) on the affairs of Spain, and addressed to the courts of Austria, France, Prussia, and Russia, in May, 1820. They were as follows:—" In this alliance, as in all other human arrangements, nothing is more likely to impair, or even to destroy its real utility, than any attempt to push its duties and its obligations beyond the sphere which its original conception and understood principles will warrant. It was an union for the reconquest and liberation of a great proportion of the continent of Europe from the military dominion of France; and having subdued the conqueror, it took the state of possession, as established by the peace, under the protection of the alliance. It never was, however, intended as an union for the government of the world, or "for the superintendence of the internal affairs of other states." Again,—"We shall be found in our place when actual danger menaces the system of Europe; but this country cannot, and will not, act upon abstract and speculative principles of precaution. The alliance which exists had no such purpose in view in its original formation. It was never so explained to parliament; if it had, most assuredly the sanction of parliament would never have been given to it; and it would now be a breach of faith, were the ministers of the Crown to acquiesce in a construction being put upon it, or were they to suffer themselves to be betrayed into a course of measures, inconsistent with those principles which they avowed at the time, and which they have since uniformly maintained both at home and abroad."

From this extract, and particularly from the two last sentences of it, it would be seen, that we had determined upon a widely different course of policy from that described by some hon. members who had spoken upon this subject; that we had determined to object to any interference with territorial possessions, and that we had never in any way contemplated, much less favoured, any aggression upon Spain. And here he begged to say a few words upon a subject, on which much of mistake and misrepresentation had gone abroad. It had been often said of his late noble friend, the marquis of Londonderry, that he had been leagued with those who were called the despots of Europe, against the liberties of mankind. To those who had known his late lamented friend as he had had the pleasure of knowing him, a refutation of such a charge would, he felt convinced, be considered superfluous. With respect to the conduct of that noble lord, what he should say of the character of that departed statesman would be brief. He would, however, venture to speak of his memory, because he felt a strong principle of attachment to him, because he knew the sterling worth of his mind, and venerated the qualities of his heart, because he had a respect for his talents, and because he thought he had formed a true estimate of the services which the noble lord had rendered to his country. Never, perhaps, was there a minister in England, whose character had been more constantly or more completely misrepresented [Cheers]. He had to conduct the foreign affairs of this country under circumstances, he would venture to say, of as great difficulty, as ever fell to the lot of any minister to contend with. He had had many opportunities of seeing how his departed friend had met those difficulties—of observing how admirably, by the decision of his character and the equanimity of his temper, he would check angry passions, stem the impulse of irritated feelings, and combat and overthrow prejudices that were almost invincible. But, with all these great qualifications, it was impossible for his noble friend to work miracles; and, really, gentlemen should not imagine that, when he undertook to assist in the settlement of the complicated affairs of Europe, he had an easy task to fulfil. They should not so readily permit themselves to imagine, that when his noble friend was sent to congress, he consented to become a party to any enterprise of despots, for the overthrow of the liberties of mankind. It was not in his noble friend's nature to commit the peace of Europe, by sanctioning any such mischievous principles. If he wished, however, to give an effectual answer to all the misrepresentations that had been made respecting his noble friend, he would turn to this paragraph, because here was to be found a most unequivocal denial of all participation in the principle of interference, given by the government of England. This document was of incalculable importance. It was not intended to be put forth as a public paper. It was never meant to furnish a defence, or to establish a case. It was a document, privately communicated to those powers on whom it was intended to produce an effect. It was meant to convey the generous impressions of the noble lord himself, and of the government to which he was attached. In this document was to be found an efficient, manly, and vigorous protest against those principles, on which the attack upon the liberties of Spain was to be committed by the allied powers. This was the first protest we had entered; the second was, the circular of the same noble lord, issued after the termination of the congress at Trappau and at Laybach. The hon. and learned member for Knaresborough had said, on a former occasion, that that circular contained the bitterest sarcasm on the conduct of the allies. He did not go with the observations of the hon. and learned gentleman so far; but he noticed the fact to show, that it was agreed on all hands, that the circular of the noble lord contained a strong and unequivocal protest against the principles of the allied powers. The interference of the duke of Wellington in the discussions at Verona, had direct reference to the principles contained in those documents. The policy of Great Britain was, not to hold an angry tone, but to assert in a clear and forcible manner, the principles on which the protest of Great Britain was originally founded. It was not fair to argue, that, because this country had assumed a mild and conciliatory tone, she had left out of sight the principle of non-interference—that she had yielded to any object of interest, or to any unworthy motive. There was one point which had not been much noticed, but which appeared to show more clearly than could be shown in any set form of words, the part that Great Britain had taken, and the sincerity of the opinions she had pronounced—he meant the actual separation of sentiment that took place on this subject between her and the allied powers. If any thing could induce the allies to abstain from pursuing that line of policy which had been recently followed, it would have been the known and declared fact, that a radical difference of opinion existed between those powers and this country. That fact alone would have been much more likely to have operated on the councils of the allies, than any representation set forth in any form of words, however strong [Hear, hear!].

He knew not whether it was necessary for him to go through all the details and all the criticisms which hon. gentlemen had made on the documents before the House. It was easy to deal out censure, and to point out other courses different from the course that had been taken; but the question still remained to be disposed of — which, under all the circumstances, was the wise and proper course to be pursued? The hon. mover of the original address had said, that England might and would have succeeded at Verona, if she had adopted the line of proceeding which he would have taken. The hon. member for Westminster, on the other hand, had gone so far as to tell the House, that at Verona we actually did succeed. He had said, that he was there at the time—that he had had opportunities of communications with persons of all descriptions—that he had addressed himself, among others, to the gentlemen who had arrived thither from the banks of the Don and the Tanais, and who were plunged into the deepest affliction and distress of mind, at finding they had journeyed so far from their own inhospitable deserts to the luxurious climate of Italy—and all for nothing! He believed, in point of fact, that the hon. gentleman was right, when he stated that Great Britain had succeeded at least in one point: she did succeed in having this principle established—that the war was not to be considered as growing out of theprinciple of European policy, but simply and merely as a war between France and Spain [Hear, hear!]. If any thing could have prevented a war, it was the success with which that point had been urged. But how was that success obtained? Not by the loud and violent tone of remonstrance which hon. gentlemen had said that Great Britain ought to have held. He denied, however, that England did not remonstrate. She did remonstrate, in a firm, though certainly not in a hostile manner. She held out to the foreign powers, the greatest inducement to pursue another course, by placing before them the objections which lay against their proceeding, on grounds of expediency and of principle. We had, therefore, every reason to flatter ourselves, that by taking a similar line of proceeding in respect to France, and applying equally to her and to Spain, we might arrive at a result equally advantageous.

It seemed, however, according to the notions of the gentlemen opposite, that we had committed a very great mistake in not having, at the termination of the congress at Verona, said to the allied powers, "Well, as we cannot induce you to give up your views on this question, and to relinquish your course of policy, we have nothing more to say to you." Why this, he thought, was a matter very doubtful. Was it better for us to say to them, "We will have nothing more to say to you in the present state of things;" or to say, "Shall we make a last attempt to bring about a reconciliation?" He could not undertake to say (for he was not quite so prophetic as the author of the address, who had undertaken to say so) what the future result of all these proceedings might be; but this he would say, that if any chance of averting war by the continuation of our good offices and mediation should present itself, it was our duty to avail ourselves of it. It was our duty to do so, with a view, not only to the peace of Europe, but to the happiness and interest of Spain, and he would also say of France; because he never would admit, that in the discussion of this question, England was totally to overlook the fair interest of France. What he meant by that interest was, the security and maintenance of a fair constitutional monarchy in that country [Hear, hear!]; but he was not called upon to expound or define the precise nature of the French monarchy. But he must say, that the maintenance in France of a constitutional monarchy—the having on the throne of that country, the family which was at present in possession of it, was, under the existing circumstances of France and of the world, an object of no small importance. We had, in all times, been jealous of the Bourbons of France—we might be so again, and he had no doubt we should be. But, were we, because we were jealous of them, or rather of France, which he might almost call our natural rival, to consider it our interest to promote eternal dissentions in that country. It was not by fomenting disturbances in France, or even by looking at them with an eye of favour, that we should best promote the peace of Europe. It was his opinion, that England would always act on a just and sound principle, by supporting the existence of a regular government in France, and, if at all practical, by supporting the existing family upon the throne of that country. England, in the course of the late negotiations, had in view, not only the interests of Spain, but of France; and, acting upon that view, while the smallest hope remained of peace, she did right to offer her mediation, and to do all in her power to prevent, if possible, a war. He did not mean to say that when these last efforts were made the government of England entertained any very sanguine hope that their mediation would be successful. In the situation of things which had been described, Spain asked for the advice of England, and requested of her government to use the pen of conciliation. France had also called upon the friendly assistance of this government—a fact which was subsequently urged as affording a proof that she did not wish to plunge into a war with Spain, if war could be avoided. He firmly believed it. He did not believe that the government of France was so anxious to commence a crusade against Spain, as some hon. gentlemen had represented. It was said, that if it was not unwise to decline further interference, England was at least in fault for the mode of interference which she had subsequently adopted. It was said, that England advised Spain to modify her institutions. Now, he would, in the first place, observe, that if Spain had not desired the interference of Great Britain—if she had not called for her advice—it might not have been right, under the circumstances, for England to have tendered her suggestions. But, England was called upon to act— called upon by Spain; and the question was, whether the advice she gave was, under the circumstances, deserving approbation or censure? England stood, as it were, between two persons, both of whom had applied to her, both of whom were strongly opposed to each other. England, as the third party, saw, from the nature of the dispute, and from the temper of the parties, that there was no chance of reconciliation, unless some concession was made. Concession she clearly saw was the price to be paid for reconciliation. England advised nothing disparaging to Spain—nothing that could sink her character or encroach upon her independence. England advised Spain not to yield to any threat of France, nor to depart from the high tone of independence which it was necessary for her honour and security to maintain; but it was one thing not to yield to any demand of France, and another thing to listen to the amicable and friendly suggestions of Great Britain. Spain, however, rejected the proposition as inadmissible, and the negotiation terminated. England during that negotiation never advised Spain to do any thing that in the remotest degree would compromise her independence, and, least of all, did we advise her to yield to the principle contained in the speech of the king of France, which went to represent all free governments as mere waste paper, unless they proceeded from the mouth of kings — that monstrous principle, which was described in the address, in the very words which were used by my right hon. friend in one of his despatches, as "striking at the root of the British constitution." [Cheers.] If that which was the obvious construction of the king of France's speech had not been denied, we never could have advised Spain to concede one jot. His majesty's government had been taunted with having assisted the French ministers to an interpretation of that speech. Now he must again beg the House to remember, that it was our object to prevent war; but if the king of France's speech was to be interpreted according to its obvious meaning, it was impossible that we could have proceeded further in the work of mediation. We, therefore, did not wish to prevent such an explanation of that speech, from being given, as would permit us to continue our exertions to secure peace; particularly as the French government, in communicating the speech to us, had accompanied it with a declaration that they were anxious to avoid war.

It had been said, that we had been grossly deceived by the French government. Undoubtedly it could not be denied, that the conduct of France had been such as to excite very great surprise on our part. But it was going a little too far, to charge the government of this country, with having suffered itself to be deceived, when the party with whom it was treating was changing its mind from day to day. That he believed was very much like what the conduct of the French government had been. We were not at all prepared for those changes; and he believed that the French government was very little prepared on one day for the change which its opinions might undergo on the next. We were not to be blamed because we could not anticipate such unexpected changes. Upon the whole, he was convinced, that what he had stated at the outset was true; namely, that it was the policy of this country to avoid war, and that the course which we had pursued in the maintenance of that policy was better than the course which had been recommended by the hon. gentlemen opposite. That was the gist of the question, and that, he was convinced, was the general feeling of the country. Upon these grounds, he anticipated that the House would reject the address which had been proposed, and not consent to consign government to condemnation, on the ground that they had neglected what was due to the honour and interest of their country during the arduous negotiation in which they had been engaged [Loud cheers].

Sir *James Mackintosh* said, he had never, on any former occasion when he had addressed that House, felt that he stood more in need of its indulgence than he did at present, because never before had he addressed it on so important a subject. Although he was by no means satisfied with the tone of the papers which had been laid upon the table of the House, nor with the defence which had been made for the conduct of his majesty's ministers, able as he admitted it to be—yet there was one peculiarity which had attended the debate, and which, although it had been noticed before, he could not avoid again adverting to with feelings of gratification; namely, that all the members who had delivered their sentiments on this momentous occasion, from whichever side they had spoken, or howsoever they were connected, had unanimously concurred in reprobation of the unprincipled and atrocious aggression of France against the brave and unoffending people of Spain. He had heard with inexpressible pleasure the honourable members for Yorkshire and the city of London, adding to the authority of their own opinion the weight of the important bodies which they represented, declare that the conduct of France towards Spain, was worthy of execration. It was with equal pleasure and delight that he had last night heard a great advocate of peace, declare, that the conduct of the French government rendered her naturally an object of indignation. That hon. gentleman (Mr. Bankes) brought to his recollection the views of another great advocate for peace pronounced in one of the most ancient of all assemblies, and described by one of the greatest of poets—the speech of that celebrated personage resembled that of the hon. gentleman in every thing but the justice of its animosity.—

> "I should be much for open war, O Peers!
> As not behind in hate; if what was urged
> Main reason to persuade immediate war,
> Did not dissuade me most, and seem to cast
> Ominous conjecture on the whole success:
> When he who most excels in feat of arms,
> In what he counsels and in what excels
> Mistrustful, grounds his courage on despair."

He had also heard with feelings of great satisfaction, the sentiments of a noble lord who addressed the House on the preceding night, and whose speech gave so much promise of talent. That noble lord had justly said, that the conduct of France in the course of this shameful aggression could only proceed from a demoniacal phrenzy. His hon. friend, the member for Bramber—whose censure derived a weight, from the general mildness of his manner, had told the House, that the language of principle and of honour was no longer intelligible in France; that that country, once the seat of chivalry and honour, was no longer to be trusted, and could no longer be respected. Such were the opinions expressed during the progress of the debate —expressed too, by men distinguished for the general moderation of their language. If there were persons, who, unfortunately, harboured different views—who could not sympathise in the generous sentiments expressed on every side of that House, but turned aside in order to adopt the obnoxious opinions which had been professed elsewhere; he hoped that the public voice, expressed by the representatives of the people in parliament, would silence, though it might not correct them. But, whilst he thus expressed his concurrence in most of what had been uttered in that House, he could not but express his astonishment, that language should have fallen from any quarter, expressive of indifference with regard to the fortunes of Spain. He could easily account for a difference of opinion on public acts—on subjects of public policy; but an indifference—a want of feeling—in a case like that which was now pending, he could not have expected from an Englishman. He could not have conceived it possible that any man could look with cold indifference on a flagrant violation of the laws of nations—in an open and profligate attack on the liberties of mankind. It was difficult to find language adequate to describe a crime so atrocious. The man who could in any way approve of it, deserved to be considered in the light of an accomplice—deserved to be branded as one who violated a high moral principle, and sanctioned a great crime against God and man. For himself, he deeply lamented that England had not taken, in the first instance, a firm and decided tone. A right hon. gentleman had taken credit for the subdued and mild tone which ministers had adopted at Verona. But, it was not when the liberties of a free people were about to be violated—when the principles on which the free constitution of England rested were openly assailed—that the mild and delicate language of the drawing-room ought to be held by the representatives of this country—that nice and measured tone, expressive more of a sense of weakness or of apathy, than of the true dignity of a great nation, brought to his recollection the satirical description of Mr. Pope—

> " But Horace, Sir, was delicate, was nice;
> Bubo observes, he lash'd no sort of vice;
> Horace would say, sir Billy serv'd the crown,
> Blunt could do bus'ness, Higgins knew the town;
> In Sappho touch the failings of the sex,
> In rev'rend Bishops note some small neglects."

This was the manner in which all persons who were conscious that their conduct merited blame, wished to be spoken of; but he trusted that the members of that House would never be brought to speak of crime in any other language than that of honest indignation. He lamented to find that in one of the notes of the duke of Wellington, the invasion of Spain by France was described as an " unnecessary assumption of responsibility" by the latter power. Was this the language that ought to have been applied to that infamous act? What would be thought of a man, who in speaking of a pickpocket, should say, he had only committed a slight error of judgment with respect to the rights of property; or of a murderer, that he had incurred an unnecessary responsibility, and that in the present state of the law of England the consequences might be unpleasant to him. Such refinement of language might please in the drawing-rooms of Vienna or Petersburgh, but they were unsuited to the blunt country 'squires and plain burgesses, who represented the people of England in that House.

The line of debate had been considerably narrowed by the speakers who had addressed the House before him. It had been said, that the protest of England, in the first instance, was firm and expressive; but it was a remarkable fact, that as topics enlarged—that as the unprincipled views of the allied powers displayed themselves—the tone of the English minister became subdued, until at length he scarcely noticed the shameful violation of the law of nations, and of the rights of justice and humanity, which France had committed. The hon. member for Taunton, in one of the ablest speeches he had ever heard delivered within the walls of that House, had truly said, that the question before the House was not a question as to peace or war, but a question as to the conduct of those who had conducted the recent negotiations. The answer that had been given was precisely that which had been given by every minister of England for the last century and a half—" You must not question the negotiation—you must not inquire into it; for by so doing, the public faith of the country will be assailed, the sacredness of treaties will be invaded, and war will be the inevitable consequence." That mode of reasoning he rejected. Experience proved that it was not correct. Without questioning a treaty, the conduct of those who made it might be fairly inquired into. The ministers who conducted the treaty of Utrecht and those who agreed to the Partition treaty, were impeached; but the treaties themselves were not violated, and war did not ensue. The House of Commons were not to consider whether treaties once entered into were to be preserved. That case could not be examined. But the conduct of his majesty's ministers—the acts in the months of October, November, and December last—were fairly open to inquiry.

Many reasons had been urged in support of the policy which his majesty's ministers had adopted; some of which were so extremely fallacious and contradictory, that the real friends of peace would not complain if he attempted to expose their futility, seeing that they injured the cause which they were intended to support. It was said, on the one hand, that we ought not to interfere to assist Spain, because the people of that country were divided; while, on the other it was urged that we ought to abstain from such interference, because the defeat of the French was inevitable. He would leave the gentlemen who used the argument, to reconcile the contradiction. It was urged also, that we ought not to interfere where there was a divided people. He should be glad to know from what part of the history of England it was, that ministers had acquired the information, that it was not the policy of England to go to war in behalf of a divided country. Had queen Elizabeth pursued that policy with respect to Flanders? Had the English government adopted it with respect to the grand alliance during the last Spanish war? The hon. member for Corfe Castle had said, that if England had assisted Spain, she would have had to oppose an English party to every French party existing in that country. He (sir J. M.) knew of no French party in Spain. He recognised only two parties there—those who were contending for independence, and those who were opposed to it. He did not blame so much as he pitied, those infatuated Spaniards who called out "Long live the Inquisition;" but those who exclaimed "Long live the French!" were apostates—rebels—traitors of the worst description. They were unnatural citizens; the hand of infamy had put its mark upon them; they would be detested and despised in every country where the love of country was considered a virtue, and its independence a blessing. He would not stop to ask who were for England, or who for France; he would only ask who were for Spain? So far from thinking, that the internal divisions of a country ought, in all cases, to act as a bar to our interference, he could conceive one in which that very circumstance might sometimes be in itself a reason for our embarking in a war. The most extraordinary argument which had been offered to the House, in support of the pacific policy of ministers was, that if we had openly assisted Spain, it would have made the war against that country popular in France. He would appeal from this specious argument to the testimony of facts, which would prove that such a timorous policy had never been pursued by the British government. Did Elizabeth for that reason abstain from interfering with respect to Flanders? Did Charles abstain from an attack on Holland? Oh, unwise Godolphin! Oh, infatuated Marlborough! Year after year did you lead your conquering arms against the troops of France—year after year did you subdue them—merely because you had not the prudence to see that you would give popularity to the cause which your wisdom and your valour were destined to overthrow! He would beg of those who talked of the wisdom of our ancestors, not to arraign that wisdom by such preposterous charges. According to their doctrine, England could never interfere to succour an ally or to prevent injustice. So violent was the hatred against her,—so little terror did her name and power inspire—that her assistance was henceforth to be considered in the light of a calamity towards her friends, and her arms, which formerly created terror in the hearts of her enemies, would now only strengthen their hands and ensure their success. Far different was the view in which the interference of England was held from the earliest period of her history—from the glorious days of Crescy and of Agincourt, down to the days of Blenheim, and of Minden, and of Waterloo. Never, until the fatal congress of Vienna, was England regarded in any other light than as the champion of the independence of nations and the liberties of mankind. He would not trespass on the time of the House by referring particularly to the papers on the table. It had been said, that it would have been unwise on the part of England to hold what was called a violent tone—that the only alternative which presented itself was a declaration of war, or of bending down to the point of degradation to which he was sorry to say England had descended. But, did the House suppose that no middle course remained? He would venture to say, that if a very few members of that House were to retire for five minutes, they would be able to suggest a thousand modes by which England could give expression to her opinion—could vindicate her dignity—could remonstrate against injustice—and yet avoid expressions which would necessarily lead to hostilities. The right hon. the chancellor of the Exchequer had said, that the circulars of the marquis of Londonderry, in 1820 and 1821, contained a vigorous and forcible appeal. But in this part of the question there was something quite ludicrous. For, in those circulars the language was much stronger than that used in the recent negotiations although the occasion was not so pressing. In proportion as the necessity for firmness increased, and the objectionable acts became stronger, our language grew weak and feeble. The language used against the occupation of Naples by the troops of Austria, was weaker than that of the circular to which he had alluded. But the language of our plenipotentiary at the late congress at Verona was still weaker, and degenerated into obscure and unintelligible allusions to the language of the papers delivered in to those sovereigns before. We heard of no protest having been made against the principle on which Naples was occupied by the armies of Austria. So far from it, that we went to the congress of Verona to negociate with the authors of that military occupation, as our allies, after they had violated all those principles on which we before protested against their attacks on the states of Italy. We went to Verona without making a new protest. We did not cite the principles of international law. Not a word was said of our former declaration against the right of foreign interference. He was not surprised that the moral feeling of his hon. friend the member for Bramber was wounded by the omission of the assertion of those principles in the late negotiations. But the House was told, that his majesty's ministers did not expect that Spain would become a subject of negotiation at Verona. That was indeed a strange communication. Who concealed from us that which was known to all the other powers to have been previously concerted by the principal negociators? But we went to the congress of these holy allies, while they concealed from us the real business which was to be there transacted; and after we had learned the nature of the subject to be discussed, we still continued to negociate with them. But the right hon. the chancellor of the exchequer said, that he and his colleagues had gained their object at Verona. What was it that they had gained? Why, a reference of the affairs of Spain to the French minister at Paris. Nothing was more likely to render the negotiation complicated than a reference to the furious and fanatical government of France, on a subject upon which that government had before made up its mind. It was his firm conviction that our ministers had been duped by that government, and that they had lent themselves to the dupery, in order to conceal the defeat they had sustained at the congress.

He would now, without going into any general discussion, make a few observations upon another point. It would be in the recollection of the House, that he had some time ago put a question to the right hon. secretary opposite, in which he had expressed a hope, that the negotiations would be found to have been conducted throughout with an adherence to the independence of nations. With an adherence to the principles of the law of nations, to the faith of treaties, strictly maintaining the balance of power in Europe, and conformably to the conduct of this country in the best times of our history. But in the papers laid on the table by the right hon. gentleman, he could find scarcely a reference to any of those principles. His majesty's ministers seemed as if they had been afraid to alarm the delicate sensibilities of prince Metternich and the other ministers at the congress, by the bare mention of the subject; and accordingly in the despatches this point was wholly omitted. So friendly was the temper of our allies towards us, that we did not wish to disturb them by any remonstrance in behalf of others or of ourselves, or by any impertinent anxiety concerning the balance of power, although that balance was manifestly endangered by the policy they were then pursuing. In the course of this debate some allusions had been made to the balance of power, and it had been asserted, that if France should succeed in Spain, still there would be no danger of the balance of power in Europe being destroyed—that, in fact, that question was not necessarily involved in the present discussion. He must, however, remembering what had been the very natural jealousy of our ancestors on this subject, look upon the question in a very different point of view. Knowing, as he did, the anxiety with which they had endeavoured to uphold that principle—that "*fuit hæc sapientia quondam*,"—that it was the only safeguard of nations, the protection of the weak against the strong, the principle by which small states flourished in the vicinity of great ones, of which we ourselves afforded so sublime an illustration—he could not but regret the manner in which it had been lost sight of in the late negotiations, and to find that in the speeches of some hon. members in the course of the present debate, all those great considerations seemed entirely forgotten. Nay, one hon. member had set so little value on them, that he seemed to think, that if all the states of Europe were under one dominion, it ought not to be the subject of apprehension to this country. They who argued thus had, at least, this merit—that they only were the consistent defenders of the negotiations now before the House. The hon. member for Corfe Castle was among this number; and though he (sir J. M.) could not divest himself of his old prejudices on the question, he could not but congratulate the hon. member on the juvenile ardour with which he advanced the new theory that the division of the territory of Europe, could not be a ground for the interference of England, and that the destruction of the balance of power could not be a sufficient cause of war. But, he would ask, for what could this country go to war, if it was not to preserve the balance of power? It was admitted—it could not be denied—that we had a right to go to war for the purpose of self-defence; but if the violation of the balance of power—if the giving to one state at the expense of another, that political preponderance which might, and, arguing from experience, would be, exercised injuriously to this country, did not bring our interference within the principle of self-defence, he was at a loss to know what did. He admitted, that in going to war, a government should found itself not only on what was the interest of the people, but also on the justice of the case. The case of a government in this respect might be compared to that of the guardian of a minor, who, in getting into Chancery, should consider, not only whether he had a just cause, but whether at the end of twenty years, he might not come off with a decree in his favour which would have the effect of involving his ward in ruin. He admitted, that in mentioning only twenty years, he might be derogating from the solemn dignity of that court, and allowing, perhaps, too limited a period for the grave and mature deliberation which was there exercised; but twenty years would be sufficient for his illustration [a laugh]. He did not, he repeated, deny that a necessity should be shown for entering into a war; but he asked whether the preservation of the balance of power did not involve that necessity? He challenged any man to answer in the negative the question---whether the possession of Spain by France, and the conquest by her of Ferrol, Cadiz, and eventually of Lisbon, were not circumstances to be dreaded by this country, and whether the probability of their occurrence would not form a just ground for our most decided interference? The right hon. secretary, on a former evening, had admitted, that a war on our part would be consistent with our own interest, with the principles of justice, and the independence of states, and, in this admission, he had come within the principles for which he (sir J. M.) was contending; although it was decidedly in the teeth of the paradox of the philosopher of Corfe Castle. He did not say that these were reasons why the country should go to war now; but he did maintain, that they were grounds why a frank and firm tone of remonstrance should have been used in the outset of our negotiations; and he contended that the adoption of such a tone---not towards enemies, be it remembered, but towards those who were in amicable alliance with us---would have had the effect of preventing those transactions now going on in Spain, which, in every point of view, we had so many reasons to deplore. It might be, indeed it was said, that such a tone on our part would only have tended to bring on hostile measures. He did not believe it. He did not believe, notwithstanding all that had been said of the wretched state of this country after the congress of

Vienna, that any power would have gone to war with us for a firm and decided remonstrance against that which was a gross violation of the general principles of the law of nations---against that which was so manifestly hostile to our own interests.

To assert that France by her conduct was injuring the balance of power—that she was weakening our means of defence, and strengthening her own means of aggression—was a fact which he conceived might be urged without offence even to the delicate ears of the despots of Verona. Where was the adherence to the example of former times, when we dared not call the usurpation of Spain by France an act of injustice; when we dared not even breathe a word, disapproving of a base and profligate interference attempted in violation of all right, and to the obvious injury of our own particular interests, as well as those of mankind in general? If he were to look for a contrast to such conduct, he would find it in the grand alliance, which was undertaken expressly to prevent the junction of the two crowns of France and Spain. He did not wish to exaggerate apprehensions upon this head. He was not one of those who thought it politic to weigh dangers by the scruples. But though the accession of a Bourbon to the Crown of Spain had not been followed by all the evils predicted at the time, it was not fair to conclude that such apprehensions were groundless. This argument proved a little too much; for it went to show that all foresight and caution, in matters of this importance, were vain and unnecessary. But the history of the family alliance did not warrant such a conclusion. If the natural effects of that compact were prevented by jealousies amongst some branches of the family, and by the imbecility of Louis XV., was that a reason why no fear should be entertained of any future union between the families? Let the House remember what took place. About thirty years after the family compact, a secret treaty was signed between France and Spain, the subject of which was, to induce the latter power to join in a war against England. The first opportunity which she had had of exercising her influence she embraced to turn it against the interest of this country.—But, supposing the influence of France and Spain was not to be directly and immediately exercised against this country, let the House see how the closer union of those two powers might affect our ancient ally Portugal. Let gentlemen bear in mind, that the first attempt upon Portugal by Spain, at the instigation of France, was after a Bourbon prince sat upon the Spanish throne. Soon after the family compact, the treaty between France and Spain contained a secret article, in which both agreed to compel Portugal to declare war against England. Portugal resisted, and we pledged ourselves to support her. But he was afraid that if we had kept our promise, we had kept it "to the ear" alone. In that case, where was the faith and honour of this country? The only danger that had threatened Portugal, since the accession of the House of Braganza, was that which arose in the union of France with Spain. Scarcely had Spain become subservient to France, under the Bourbon princes, than the effect began to show itself on the scheme of European politics. As soon as France obtained the ascendant, the infamous article to which he had alluded was agreed upon, whereby Portugal was to be compelled to go to war with England, on the ground that her situation required that she should not act a neutral part. That was the first time that such a principle had ever been advanced. It was the first time that her geographical situation had been avowed as a reason for compelling one country to go to war with another. Three times was Portugal attacked—three times was she brought to the brink of ruin—and three times did she maintain her fidelity at the hazard of her existence. With such claims she now called upon her powerful and ancient ally, for whom she had risked so much, to come forward in the hour of her need and danger with protection. And what did that ally do? Had she obtained for her the security she was entitled to ask? He saw no trace of it in the papers. What was the assurance so much relied on—an assurance on the part of France, that, so long as a French army remained on the frontiers, Portugal should not be attacked. The assurance was absurd and useless. It was absurd to say that, as long as the French army remained in one place it would not leave it to make war on Portugal; but, no security was given that on the removal of that army hostilities would not be commenced. But, what was the argument of that profound Philosopher and statesman, M. de Chateaubriand, to satisfy Portugal and this country on a subject of so much importance to both? He—the writer of love tales and romances—he who prayed the Gods to "annihilate both space and time, and make two lovers happy," had discovered, in the profundity of his wisdom, that the distance of Portugal was in itself a security against her being attacked. It was a delusion, a mockery, to hold out language like this—to say that so long as Spain interposed Portugal should remain at peace. Where was the security in this promise? Suppose (which God avert) that France should conquer Spain—the obstacle would then be removed, and France would hold the same language to Portugal which she now did to Spain. There was no pledge to satisfy the mind of any rational man that she would not do so; there was no pledge that she would not employ her money to foment disturbances, in order to find a pretext for her crimes; that she would not pour in her army to put down the anarchy which she had herself excited. Such was the protection afforded to Portugal for her fidelity and perseverance! What a chapter would this form in the history of our faith and honour. The country of superstition and ignorance had adhered to us to the last; but the country of reason and good faith had forgotten the obligation! Would it be contended that we could do no more? If so, why talk of our influence? The best way, perhaps the only way, of defending Portugal, was by defending Spain from attack; but that unfortunately had been neglected. It was said, that the king of France disclaimed all views of aggrandizement. This reminded him of an anecdote which he had read in a work recently published—"The Secret Correspondence of the Courts of Russia, Prussia, and Austria, respecting the Partition of Poland." In one of the notes of the Russian minister it was stated, that her imperial majesty had made it an inviolable rule of her conduct never to interfere with other states for the purpose of aggrandizing her own—a rule which, however, she was then in the daily habit of violating; for, at that very time that this note was written, her imperial majesty had settled the partition of Poland—one of the grossest acts of perfidy which had ever disgraced the most faithless of tyrants. He would not place much reliance on the promises of princes. He placed none on the intentions attributed to the king of France. He did not believe that when he had settled—if he should be able to settle—Ferdinand upon his throne, he would consent to evacuate Spain for the purpose of conciliating the good will of England; and the more was he doubtful on this point, when he found that all the efforts which England had used had been fruitless in dissuading him from the attempt. Was it probable that he would leave Ferdinand to be protected by the army of priests now mustered on his behalf? If he had considered the army of the Faith sufficiently powerful to keep Ferdinand on his throne, he needed not to have interfered. After having established him in his despotic authority on the ruins of every thing that was noble and generous and free in the country—after restoring the Inquisition, and re-establishing tithes, he would still find it necessary to continue the army by whose aid such valorous and noble feats would have been achieved.

What, then, he asked, would be the situation of England if this conquest should be effected? Could she think herself secure with such immense power in the hands of her ancient and jealous rivals? Could she think Ireland secure while such means of annoyance in that quarter remained in their power? Let the House remember what had been the conduct of France and Spain on former occasions with respect to Ireland. He had now before him a letter, which however he would not then trouble the House by reading, but would refer to its contents as illustrative of his argument. The letter was from lord North to the earl of Buckinghamshire, dated 1779, in which he informed him, that he had intelligence of a combined French and Spanish fleet being in the English channel—the greatest foreign fleet that had been in possession of the channel since the battle of La Hogue. On board of this fleet, which accident prevented from effecting a landing, there were 32,000 infantry and 4,000 cavalry, for the purpose of taking possession of the country. The descent was to have been made in Galway; and, so confident were they of success, that many of the principal officers had taken with them their wives and children, with their tutors, for the purpose of educating them in the country, and settling them there. The bait which they held out to the Irish people was the establishment of religious freedom—the full emancipation of the Catholics—and the establishment of a free trade. The latter was soon after conceded to Ireland; but the former, he regretted to say, was allowed still to remain a fruitful source of dissention in that unfortunate country. It was settled by the invading powers, that the duke de Fitzjames should be at the head of the government to be established in Ireland—a sort of Viceroy, and should call a parliament in Dublin. This Fitzjames, who claimed to be allied to the exiled Stuarts, was the ancestor of the individual of that name now in France who had, in one of his speeches in the chamber of peers, gravely informed all Europe, that in England, at present, nobody thought of defending the revolution of 1688; that though it might be vapoured in parliament, yet nobody really held the opinion that it was just—that if it was to be attempted over again, it could not succeed—and that the great majority of the nation would prefer the sway of the mild and tolerant Stuarts, to the family now on the throne. He had mentioned the circumstance of the intended invasion of Ireland by France and Spain—and he could mention others—to show the danger to which we were exposed by the intimate union of those powers; and he asked, was it not singular, that at the very moment when we were considering the situation of Ireland—at a time when she was torn with factions from the unfortunate system which had been adopted of giving an ascendancy to the few over the many in that country—we should make no threat, use no vigorous means, to prevent the occurrence of circumstances which would place Ferrol and Cadiz in the hands of our dangerous rival; which would prevent the acquisition by France of that influence over Spain, which it had been her invariable practice to wield against us? The right hon. secretary had said, he was willing that the conduct of government in these negotiations should be tried by a reference to what had been the conduct of this country in the best times of our history. The reign of Elizabeth was no bad æra to select; but he was apprehensive that that queen would be considered little better than a radical by the continental sovereigns of the present day. The right hon. secretary would remember what had been said in vindication of the character of Elizabeth, by no less an authority than sir F. Bacon. Speaking of her known intention of assisting the Burgundians in the recovery of their freedom, he observed, that her majesty was reminded of her treaties with the dukes of Burgundy; but she replied, that her object was to benefit the people—that her treaties were with the people, and not with their rulers. But, at that time the rights of the people were respected. At that time, we heard much talk of nations, but little of kings. The case now was different. At the present day, we heard little of nations, but every thing of kings. The House might, perhaps, be surprised that he differed from most of his hon. friends in the interest which he took in the fate of his majesty, king Ferdinand of Spain. There was no sovereign in Europe, with the exception of the sovereign of this country, who was to him an object of so much interest, or about whose safety he was more solicitous. This feeling did not arise so much from admiration of his virtues, or respect for his many amiable qualities [Hear, hear], as from a wish that his safety might continue a monument of the magnanimity, the generosity, the manly forbearance of those patriots who were now struggling with such ardent zeal for the liberties of their country. That Ferdinand might long live to afford a striking contrast between the mild forbearance of the virtuous men by whom he was surrounded, and the unrelenting tyranny of the despots who would crush them, was his most earnest prayer. That they might live to accomplish their glorious task, he also ardently hoped. If they did fail, their example would remain to sow the seeds of liberty amongst mankind; but to do so they must continue to be pure, spotless, unstained, kind, merciful, forbearing, and forgiving. There was one amongst them whom he almost envied even in the midst of the misfortunes to which he had been exposed. He almost envied Arguelles for his genius, his eloquence; he envied him for being the foremost amongst the assertors of Spanish liberty; but for nothing did he envy him so much as for that nobleness of nature which he evinced in administering to the wants, in attending to the comforts—studying even the delicacies of that man who had previously consigned him to a fortress, to work as a common soldier exposed to the burning heat of an African climate [Loud cheers].

Mr. Secretary *Peel* said, that as he was a member of that administration against which a severe criminatory resolution had been moved, he stood before the House in the situation of an accused party; and he therefore felt a natural, and he trusted, a laudable anxiety to plead not guilty to the charge, and to state the grounds on which he thought that the members of administration were entitled to a complete acquittal. At the same time, he was so well satisfied with the able defence of his majesty's government which had been made by his right hon. friend the chancellor of the exchequer—a defence which had not been at all weakened or touched by the speech of the hon. and learned gentleman who had just sat down, but which had rather been strengthened by the careful manner in which the hon. and learned gentleman had avoided every position which his right hon. friend had laid down—that, after what had passed in the House the last two hours, he felt that he almost owed an apology to the House, for venturing to address it once more upon the same side of the question.—He would now proceed to examine the speech of the hon. and learned gentleman; and he would ask, what could be the object of that speech, except to recommend a declaration of war against France? Not more than five minutes had the hon. and learned gentleman employed in showing that this country ought to have assumed a more dignified tone of remonstrance during the late negotiations. The arguments which he had subsequently addressed to the feelings, and to the passions of the House, had all gone to shew, that his majesty's ministers ought to have issued a direct declaration of war. The hon. and learned gentleman had referred much and often to the balance of power. And, for what purpose?—to convince the House that that balance was now in such jeopardy, that we were bound to interfere for its preservation, even at the expense and hazard of being involved in a war. The hon. and learned gentleman had said, that he would avoid the question whether justice required us to go to war, and would only examine the simple question whether our honour or interests demanded it. The real question, however, was, did the honour of the country—and, if the honour, did the interests of the country—render it necessary that we should become a party to the war? Did, then, the honour of the country require of us war? He answered, No. Did the interests of the country require it? He again boldly answered, No. Did the faith of treaties require it? Once more he boldly answered, No. Did the voice of the people of England call for it? Again he boldly answered, No. Did the government of Spain require it? Again, and again, he boldly answered, No. Since, then, neither the government of Spain, nor the voice of the people of England, nor the faith of treaties, nor the interests nor the honour of the country required of us war, he would ask, was there any reason for criminating his majesty's government, because it had not resorted to any such measure?

The hon. and learned gentleman had endeavoured to cover with ridicule the hon. member for Corfe Castle; but he had found it impossible to touch that hon. gentleman's position with regard to the balance of power, without first misrepresenting its meaning. The question at present was not whether the balance of power was to be maintained in the same manner as it had been in former times, but whether it would be deranged by the success of France in her present invasion of Spain? Supposing the statement to be true, that, if the population of Spain were divided into eleven equal parts, ten of those parts would be found in favour of the present constitutional system, and only one opposed to it: supposing the statement likewise to be true, that the insurrections which now prevailed in that country were only caused by intrigues and fomented by the money of France—could France derive any additional strength from the military occupation of Spain, even though the ports of Ferrol, Cadiz, and Corunna, were in her hands, seeing that she would have to keep perpetual watch over the ten parts of the population whose rights she had violated, and who from that very violation must be greatly exasperated against her? Indeed, he was prepared to go much further; he was prepared to contend, that the military occupation of Spain by France—instead of being such a source of strength to France as would disarrange the balance of power—would be to her a source of incurable weakness; and, instead of benefitting, would greatly tend to retard and paralyze her in all her future operations. He, therefore, maintained that, as far as the balance of power was concerned, there was not the slightest consideration of interests that could justify this country in precipitating herself into a war.

The hon. and learned gentleman had likewise referred to what this country had done in former times, in order to preserve that balance of power, in favour of which he had declaimed so warmly and so eloquently. Now, nothing could possibly be more inconclusive than these general references to history, in which all the peculiar circumstances of the case were not brought into consideration. The hon. and learned gentleman had referred to the conduct of queen Elizabeth, and had contrasted it with that of his majesty's government at present, evidently intending to draw a contrast highly to their disadvantage and humiliation. Why, he would ask, did Elizabeth assist the Flemish subjects of Philip, in their endeavours to throw off their connexion with him? Not upon any abstract principle, but solely because it was conducive to the interests of England, which was a just and legitimate cause of war. They had been told, that, in the struggle between Philip and his Flemish subjects, Elizabeth had ranged herself on the side of the latter, because she preferred appearing in the character of a champion for liberty, rather than in that of an ally of despotism. A reference to the history of that period would prove, beyond all dispute, that such a statement was nothing but romance. For, what was the period at which she first lent her assistance to the Flemings? It was not until the recall of the duke of Alba—it was not until he had boasted that he had brought 18,000 subjects of Spain to a public death on the scaffold, in the midst of the most excruciating torments—it was not until he had taken Antwerp and Breda, and several other strong towns and fortresses — it was not until Don John of Austria had been appointed his successor, that Elizabeth made the slightest effort in their behalf. And, what did she do then? She lent them 20,000*l.* and sent them a small army, having first refused the sovereignty they offered her, and having received the possession of three towns, as a security for the loan which she had advanced. It was, therefore, upon a view of the peculiar interests of England that she had acted—upon the same view, indeed, that his majesty's government had recently acted in refusing to involve this country in war, on account of the unprincipled invasion that France was now making upon Spain [Hear, hear!]. A similar spirit had influenced the government of this country in the instances to which the hon. and learned gentleman had referred in the reign of William 3rd, and of queen Anne; indeed, he might also add, still more recently, when we assisted Spain in counteracting the designs of Buonaparte. He alluded to that circumstance, because it had been stated in the course of the debate, that the same principle of self-interest which led us to assist Spain against Buonaparte, ought also to induce us to assist her at present against Louis 18th. But he would ask, was not the danger infinitely greater to the safety of England when Spain was attacked by a military despot, who had 500,000 men at his beck, and who three years afterwards marched into the north, at the head of 600,000 men, though at that time Spain possessed a united population, than it was now, when she was attacked by a Bourbon, with only a force of 100,000 men, though with a divided and distracted population?

He thought that the analogy between the two cases had totally failed, and he should therefore pass on to the observations which the hon. and learned gentleman had made upon our relations with Portugal. He contended, in opposition to the hon. and learned gentleman, that neither the faith of treaties, nor the consideration of our own particular interests, compelled us to undertake the defence of Portugal under the circumstances which the hon. and learned gentleman had stated. He would allow that we were bound to protect Portugal in case she were wantonly attacked by France. We had informed France of our obligations upon that head. We had received pledges from her that she had no hostile intentions against Portugal; and if France refused to respect her own pledges, thus sacredly given and repeated, then the House was bound by the amendment of his hon. friend the member for Yorkshire "to afford to his majesty its most zealous and affectionate support in any measures which his majesty may find necessary, to fulfil the obligations of national faith, to vindicate the dignity of his crown, or to maintain the rights and interests of his people." He maintained, that it would be enough, when the *casus fœderis* arrived, to lend to Portugal the assistance which we had stipulated to afford; and that it would not be consistent, either with prudence or sound policy, to pursue towards her the line of conduct which had been recommended by the hon. and learned gentleman.

He could not help thinking that much extraneous matter had been introduced into the present debate. The great question which had been submitted to the House was, the policy which his majesty's ministers had pursued during the late important and complicated negotiations; and, in reasoning upon it, observations had been made, not so much upon that particular policy, as upon the general policy which they had adopted for years past. He could assure the House that he did not intend to enter upon that wide field of discussion: he should limit himself to the question more immediately before it. And here he must observe, that the policy which we had to follow was of a threefold nature; first, we had to maintain, if possible, the peace of Europe, without any compromise of principle on our part; next, if it were disturbed, we had to maintain peace as far as England was concerned; and lastly, which was perhaps as important a point as any, to maintain a mediatorial position between the contending parties, in order to afford them every opportunity of re-establishing peace with each other. On these points they were to be met by their opponents. And here he would ask, did those opponents propose an opposite line of policy? Did they, for instance, call for war? They themselves said they did not. So that the question was not so much a question of principle as of degree; and on this particular point; namely, whether the tone used in the negotiations had been sufficiently strong and dignified. That was the general, though he knew that it was not the universal, argument of the gentlemen opposite. The hon. member for Westminster, for instance, had declared himself the determined advocate for open and unqualified war—for a war of principles—for a war, as he termed it, of the principles of liberty against those of despotism. But he (Mr. Peel) for one should deprecate the hour when England should enter upon such a war; and he trusted, that upon such a war she never would enter. He certainly hoped that England would never be the advocate of despotism, whether directed against Spain or against any other country. He protested, and he strongly protested, against that doctrine maintained by what was called the Holy Alliance, of its right of interference with the liberty of nations, by the establishment of a sort of European police for the prevention of the success of revolution wherever it might be found, and under whatever circumstances. He contended, as strongly as any man could do, for one exception at least from that doctrine; namely, when the security of the state rendered such a revolution necessary; and he was prepared to argue, that in the case of Spain, that exception had certainly occurred [Hear, hear!]. It was, perhaps, incumbent upon him to declare his sentiments upon that point, as M. de Chateaubriand had taken an opportunity, in the French Chamber, of drawing a very erroneous conclusion from what he had formerly said upon it. It might perhaps be in the recollection of the House, that, on the first day of the session, he had stated, that he thought Austria quite justified in interfering to put down the revolution at Naples. That opinion, most undoubtedly, he had delivered—that opinion he was still ready to maintain, and without any feeling of personal interest in it; since he was not a member of the cabinet at the time when that question had come under consideration. The French minister had said, that his Britannic majesty's government had thought Austria justified in attacking Naples, and that therefore they must now think France justified in its attack upon Spain. He, however, disclaimed the right of drawing any such inference. He thought that there was a justification for Austria; but he could not see any justification whatever for the present aggression of France upon Spain. He conceived that there was a wide difference between the Neapolitan and the Spanish revolutions; though both, to a certain degree, arose out of military insurrections. He would not then enter into the minor points of difference, but would merely remind the House that, at Naples, the revolution appeared to be nothing more nor less than a military occupation of all the functions of government. The king proposed to give to the party demanding it a constitution in eight days; but that proposition by no means contented it. A mob was collected, and threatened to attack the royal palace if a constitution were not granted them in four and twenty hours. In consequence, a constitution was granted them—the Spanish constitution—for want, not of a better, but of another. Such being the case, Austria appeared to him to be completely justified in interfering to put down that revolution; especially as the dangers arising from it were not local, in consequence of the designs avowedly entertained by its authors of disturbing the existing arrangements of Italy, and of wresting from Austria those provinces which had been guaranteed to her by England and the other allies. He would ask, whether any such designs had been avowed by the chiefs of the Spanish revolution; or, whether there was any similarity, except that which he had before stated, in the mode by which the two revolutions had been effected? The man who could assert that there was a similarity must have his judgment so blinded by his enmity to the Spanish constitution, as not to be able to see correctly what was ever passing before his own eyes.

Besides the hon. member for Westminster, there was also another hon. member who was an advocate for war. But that hon. member (Mr. Robertson) was for a war of a peculiar character. He would not have a land war, but a naval war, and that, too, on a principle of economy. The hon. member to whom he alluded had said, "Since the hulks of your ships are liable to rot in your docks, and since they do not rot so much at sea, I would send them out to cruize off the coasts of France and Spain; since, in doing so, you will not be incurring much more expense than you are incurring at present." He might, perhaps, be inclined to agree with the hon. member, if, in a war between two nations, as in a quarrel between two individuals, either party were allowed the choice of weapons; but he thought that if we declared war against France, we should find it difficult to persuade her to consent to a war that should be conducted on so limited a scale. But, even if the hon. member should succeed in that object, what advantage could be gained by carrying on a maritime war for the establishment of a mere principle? He had heard or read of a certain king who was famed for taking maritime towns by detachments of cavalry; but never, since the existence of naval tactics, had he ever heard of such a ludicrous scheme as that of endeavouring to prevent the French from entering Spain by means of a naval force.—It was said, however, that the war against Spain was at present unpopular in France. What would be the consequence of our taking part in it by waging a maritime war against French commerce, but to exasperate the French merchants, whose property would fall into the hands of our cruisers, and to turn the indignation of the French people against their rulers for engaging in the war with Spain, into rage and fury against us for unnecessarily, as they might suppose, becoming parties to it? What advantage could we derive, in a war for principles, from capturing Martinique, and from thus being enabled to throw an increased quantity of sugar into our market? Nay, he might also ask, what advantage would Spain herself derive from such captures?

The hon. and learned gentleman who spoke last, however, would not have had this country gone to war; he would only have had her employ menace. Did the hon. and learned gentleman mean, if his menace had proved ineffectual, to enforce it? Such must be the hon. and learned gentleman's meaning; for surely he would never have had England condescend to act the part of a bully, and to submit to the disgrace of using threats which she was not afterwards prepared to carry into execution. He would then ask, did the circumstance of this country justify his majesty's ministers in running so great a risk? He thought not. If honour and justice required a war, let us embark in it, heartily and openly, and fairly; but if not, let us not run a desperate risk which must lead either to national disgrace, or to a war which was not called for by either honour or justice. [Hear, hear.]

He would now proceed to the refutation of that part of the argument on the other side, which was intended to prove that a dignified tone had not been maintained by the British negotiator in the course of the late negotiations. A very studious and artful attempt had been made to confound the different periods of the negotiations; and the instructions given by Mr. Secretary Canning, in the first page of the correspondence, had been quoted to prove that, when France first declared her intention of attacking Spain, our language had not been so strong and vigorous as it ought to have been. The words of his right hon. friend "to any such interference, come what may, his majesty will not be a party," used at the very outset of the negotiations, had been applied to events which had occurred three months afterwards, and had been quoted as the only remonstrance which we made to the French on their crossing the Bidassoa. The papers themselves furnished proof that this was not the case; and he therefore could not help complaining that such an assertion had ever been allowed to go forth to the public. It appeared to him that these negotiations were divided into three distinct periods: the first being the period between the assembling and the close of the congress; the second being the period between the return of the duke of Wellington to Paris and the publication of the Speech of the king of France; and the third included all the periods that had since elapsed. Any man who read the despatches for the purpose of criticising them, ought in common justice to keep these three periods perfectly distinct from each other in his mind, and to apply the language used during each of them to things as they then existed. He ought also to recollect, that at present we were wise by the result, and he should not forget, that the writer of them had to enter into a calculation of probabilities, with which at present we had nothing whatever to do. With regard to the object of the British government during the first of these periods, his right hon. friend, the chancellor of the exchequer, had properly observed, that it was to prevent the declaration from being made against Spain by the allied powers. Now, he would ask, whether such a declaration had been made or not? If it had not, how could it be justly said that the English negotiator had been duped? Indeed, what was the language used by France regarding these negotiations? Why, M. de Montmorency said, that the measures which the French government had contemplated for the amelioration of Spain would have succeeded if "England had thought she could concur in them." Here was at least a distinct admisssion on the part of France herself, that she did not consider her interests to have been forwarded by the part which England had taken at the congress at Verona. What was the opinion of Spain herself with respect to this very subject? An hon. member on the previous night had alluded to the despatch of the Spanish minister, in which M. de San Miguel had said, "Will not England give effect to the opinion which she entertains?" At the moment when that despatch was written, Spain was not aware of the part which England had then adopted; but what was her language when she had been made acquainted with the course which this country had taken? On the 24th of December, M. de San Miguel had said, "We are sure of England, and satisfied with her position." Did that minister say that England ought to go to war? No such thing. But he pointed out the course which, if we followed, he thought would be most conducive to Spanish interests. He said, "There is nothing to induce us to ask for such a mediation at present; but we are at sea, surround by dangers, and menaced by storms, and it is impossible to say that we may not yet require a friendly hand." In what way was that friendship to be shown? Why; as mediators only. On a still later occasion, the language of Spain, whom we are accused of not having favoured, still continued the same. M. de San Miguel, in his despatch to sir W. A'Court, of the 12th of January, said, "To England, who has taken in the conferences at Verona so moderate and pacific a line, it now belongs to crown the work, and to prevent an effusion of blood, which can be productive of no possible advantage to the interest of any nation." "To crown the work!" He wished the House to attend to the expression. Did they think that the Spanish minister would have made use of it if he had been dissatisfied with our conduct. If the testimony which he had already adduced upon this point were not considered sufficient, he would refer the House to that of the hon. member for Westminster, which would certainly have been more satisfactory, had he not confessed that he derived his information from laquais de place—

Mr. *Hobhouse* disclaimed any such confession. His authority was derived from much higher sources.

Mr. *Peel.*—The hon. member had confessed, that the opinion of the different persons attached to the different embassies at Verona, founded on the principles which had been maintained during the negotiations, was, that his right hon. friend (Mr. Canning) was a complete radical. Since that time, however, he had been blamed by the more ardent partisans of liberty, for having rather fallen short than gone beyond what they considered his public duty. The hon. member for Westminster had last night observed, that though there could be a thousand curves, there could only be one straight line. Now, by this straight line he thought that his right hon. friend had been fortunate enough to direct his conduct; for, if it had the reprobation of Siberian aides-de-camp on the one hand, and of the warm friends of liberty on the other, it amounted almost to a positive proof that he had done wisely in steering between the two extremes. He was therefore convinced that, after all that his right hon. friend had felt and suffered during these negotiations, he would have that evening the satisfaction of returning to his home, not only with the first of all rewards—the consciousness of having performed his duty, but with that reward which was certainly the next to it, the applause and approbation of that House [Cheers].

He had now finished his defence of the conduct of government, during the first of the three periods he had mentioned, and should proceed to the second. In doing so, the right hon. gentleman vindicated the mission of lord Fitzroy Somerset, to Madrid, against the censures which had been cast upon it; and contended, that the advice which the duke of Wellington had offered, through him, to the members of the Spanish government, was well calculated to promote its best interests. His grace did not propose to them to make any modifications in the Spanish constitution, that were not clearly for its benefit and improvement. He would ask whether there was anything in the nature of those modifications to prevent their acceptance by Spain; or whether there was any thing in the menace of the third power which made it imperative upon her to reject the changes proposed? What would have been the result if she had accepted them? The withdrawal of the Army of Observation from the Pyrenees, to the presence of which army there they attributed so much of her calamities. As, at that moment, the king of France's Speech had not been made public, Spain might certainly have consented without any loss of honour; and by such consent she would have united her people, and ameliorated their condition, more than she could do by any subsequent measure. He admitted, however, that after the French king's speech, even such a modification could not have been submitted to Spain with propriety. But, was it not too much that England should be made responsible for an entire change in the policy of the French government? Those who agreed with ministers, that a war ought not to have been entered into, and were yet inclined to criticise the papers, were bound to apply that verbal criticism to the periods to which they referred. But, was it upon mere verbal criticism that the House of Commons, would decide the great question now submitted for its consideration. What would be the consequence of adopting the resolution proposed by the hon. mover of the address? Would it not be felt throughout Europe as a condemnation of the line of strict neutrality, which it is the policy of England to adopt? The House had been told recently that the decision which it had come to a short time ago for an adjournment would be misconceived both in this country and on the continent. If that were so, how could the grounds of the determination of the House on the present question be hoped to be correctly known? The House might depend upon it, that Europe would look to the numbers alone; and if the resolutions were adopted, it would be concluded that the House of Commons condemned the policy of neutrality, and were the advocates of war. It was not only for these reasons that he thought the House ought to adopt the language of the amendment, and assure his majesty, that when a case occurred which should require it, the House would at all times be ready to adopt such measures as were necessary to maintain the national faith and support the honour of the Crown; but more especially because he thought the policy of neutrality was that which England ought to pursue, and which would maintain for her that peace which, though not essential to her existence, yet, after the derangement of her internal affairs, and the sufferings consequent on a war of five and twenty years duration, was the system which it was infinitely the best for the country to adopt.

Sir *Francis Burdett* said, he could not but express his satisfaction at the unanimity of sentiment which prevailed in the House with regard to the conduct of France towards Spain; for though he certainly anticipated much of what he had heard on his own side of the House, he was not prepared for that universal expression of the sentiment which had taken place; and, whatever the vote of that House might be, there could be no doubt entertained in Europe of the feeling which universally prevailed, and the light in which the conduct of France towards Spain was viewed in this country. He agreed with the right hon. gentleman who had just sat down, that the House ought not to descend to verbal criticism on the papers which had been produced, but should look to their tone and feeling. After the thorough examination which those papers had received from the hon. mover of the original address, as well as from the hon. and learned gentleman below him, he would not go over the ground again, but would confine himself to a few observations on what had been said by the right hon. gentleman who had last addressed the House. The right hon. gentleman had divided the negotiation into three parts.

In the first place, with respect to what had taken place at Verona, he disagreed with the right hon. gentleman *in limine*, and would say that he thought there was on the face of those transactions more than sufficient to call down on the head of any English minister the censure contemplated by the original address. The noble duke who was our plenipotentiary, was, at the outset, asked by the French minister, if England would concur with France in their aggression on Spain; and he had had the insolence to go on and ask what effectual support this country would give to France in case of her making this attack. Now, he did not mean here to speak of violent language, or menaces leading to war, but of that dignified expression of virtuous feeling which would have brought to the minds of the proposers a knowledge of the sentiments which this country must entertain with regard to the atrocity of such a proposition. He must here observe, that the discussion of that evening had nothing to do with the question of peace or war; but simply, whether we had so conducted ourselves, as to convey to the minds of the French and other foreign ministers, the sense entertained by this country of the injustice done by France to Spain? If we had said, that we were astonished and shocked, that it was impossible we could act in support of such conduct, and that so far from having our support, we should feel it necessary to throw the whole weight of our moral authority into the other scale, such language as this would have had the effect of preventing this country from standing in the situation in which she now stood. As to affording the French effective support, that, of course, was out of the question. But there were a variety of modes of proceeding besides war, which might have been adopted, and which would have kept us out of the situation in which we were now placed—a situation which even those persons who were so anxious to preserve peace at all events must acknowledge was a most ambiguous one. Suppose we had said—"Your conduct is a violation of every principle of justice. Not only will we not be an accomplice in the transaction, but we must follow the severe line of our duty, and withdraw from your court our ambassador." This would have been an answer to the question, more consonant to the dignity of England and to the character which she had hitherto supported, but which she now seemed inclined to relinquish. Such an answer would have been more likely to deter France from her vile and detestable project, than telling her that she was undertaking an "unnecessary responsibility."

There was one point on which his hon. and learned friend had commented, but on which he (sir F. B.) would beg to say a few words. He referred to the general tone and temper of the papers on the table. Throughout the whole of them we did not appear at all like mediators, but as partisans of Bourbon aggression; as palliators of injustice, and would-be seducers of Spanish honour. We had attempted to induce them to give up a point of honour, which he had heard one of the greatest friends of peace declare was a cause of war more worthy of support than any other. Yet, what had these mediators done? They had endeavoured to persuade the Spaniards to give up the constitution of their country, in order to give, forsooth, the Bourbons an excuse to retrace their steps; though there was throughout no appearance that the cabinet of the Tuileries were inclined to abate an iota of their pretensions. There was, consequently, no motive to induce the Spaniards to listen to our proposition; for it no where appeared that the English mediator was authorised to say, that if the Spaniards complied with the requisition, that would put an end to the situation in which they were placed, or that we could then guarantee them from aggression. He had looked with the greatest surprise at that part of the duke of Wellington's memorandum, in which he said, "Those Spaniards who really desire the peace and welfare of their country, must look to an alteration of their constitution, which shall have for its object, to give the king the power of executing his office. I confess that I do not see any objection to this alteration, either in the antecedent conduct of the king, or in the apprehension that his Catholic majesty will abuse the power confided to him." Was it possible that any man could be so blind—was it possible that he who could penetrate into the designs of the enemy in the field, could be blinder than a mole to the designs of one who passed under the name of a friend?---that in the character of Ferdinand the 7th, who had run the most disgraceful career, he could discover nothing to excite suspicion?---that Ferdinand who had dishonoured his mother; who had betrayed his father; who had abandoned his country, and who, on his return to it, had murdered his defenders! Was there nothing in all this to excite suspicion? Was it not quite impossible for the Spaniards to regard as a friend the man who could see nothing in the antecedent conduct of Ferdinand to excite an apprehension that he would abuse the power confided to him? [Hear, hear!]---But there was nothing in the whole of the papers on the table that had more surprised him, than the first despatch of the right hon. secretary, in which he had expressed the determination of his majesty's government, that "come what may."—When he had first read these words, he had thought to himself "the honour of England is about to be supported, Come what may! What is the meaning of this ambiguous menace, this mighty phrase---

> 'That roars so loud, and thunders in the index.'

Surely a denunciation of war is to follow!" But, no!—no such thing! only, "come what may—his majesty will not be a party to any such interference." Never was there an instance of the bathos! such a specimen of the sinking policy---

> "Quid dignum tanto ferret hic promissor hiatu?"

The right hon. gentleman who had last spoken had said, as others before him had done, that no member ought to vote for the address who did not think that this country should have gone to war in the event of the invasion of Spain. He could not think that at the outset of these negotiations it was at all incumbent on a British minister to let France into the secret as to what this country might or might not do. War or peace should have been left to depend on the acts of the parties. But, when pains were taken to tell France that, whatever she might do, she had nothing to fear, it was impossible to believe in the sincerity of the desire to prevent the aggression on Spain. If they had been sincere in a different sense---sincere well-wishers to the Bourbon scheme of aggression, and sincere enemies of the interests of Spain---if they had been accomplices and not dupes---he could not see what conduct they could have adopted more unfavourable to Spain, and more likely to forward the unjust views of the Bourbons, than such a proceeding. The notes of the French ministers all seemed to be written in a confidential way, as if they were addressed to persons who in their heart wished well to their designs. It seemed never doubted that our ministers must desire the success of whatever the Bourbons attempted. The communications were written in confidence, as if, indeed, there was something in this country, under the shape of public opinion, which the ministers could not conveniently defy; that the force of this country could not well be applied to aid them, but that it could not be doubted that the good-will of our government went along with them in the whole of the transactions. And, when he recollected the aggression on Naples, he could not but think, that the interests and honour of this country had been then betrayed; for in his opinion, it was contrary to the honour and interest of England that Naples should have been abandoned to Austria; and, though the late secretary for foreign affairs had put forth the principles on which this country would govern itself, yet he had, on that occasion, so frittered away the main principle, that then also the interests of this country and of Europe had been scandalously betrayed. When he recollected the transactions relative to Piedmont, he was not so much astonished at the way in which the duke de Montmorency had addressed the French house of peers, and had thrown in our teeth all those transactions, to which we had been consenting parties, and expressed his surprise that England should not concur therefore in the aggression on Spain. When he named Genoa and other countries, and summed up a long list of atrocious aggressions, he could not help thinking that the argument was a good one for a French minister to urge. But if England was not to be blotted out of the map of Europe, she must express her sense of the atrocity of the conduct of France towards Spain. For, if this aggression was successful, there was an end to all public law: a life need not be spent hereafter, in turning over the volumes of Puffendorf and Grotius: no one need look to the labours of those great men, who had endeavoured to exalt humanity by making right reason the rule of conduct among nations, and rescuing mankind from the dominion of brute force. But, if this conduct was to go unpunished, Europe might again become a wilderness, and the civilized world would owe this visitation to conduct as base and as infamous as was ever recorded. It was not for the interest of England that this settlement of Europe, as it was called—though in fact nothing was settled, for being founded in aggression it must be a continued source of dispute—but it was not for our interest that the smaller states and independent nations of Europe, who formerly depended on the law of nations, should be annihilated, or swept under the protection of two or three great despotic powers who were in a state of permanent hostility against them. If ever it was the interest of this country to maintain the independence of Spain, it was so at the present moment. The right hon. gentleman who spoke last seemed to think there was no danger to this country even if the Bourbons had actual possession of Spain. He would suppose this Bourbon mockery — this pretence of complaint against the Spanish constitution—to be real; and he would then ask, was it possible to suppose that they would stop at the imaginary line which separated Portugal from Spain? Was it possible to believe this? Was not Portugal more inconvenient to Spain, than Spain could be to France; and would not the reasoning that justified the invasion of Spain, justify, when the despotism of Ferdinand should be re-established, the invasion of Portugal?

Nothing, he would contend, was so likely to produce war, as the known determination on our part to have peace, "come what may." Suppose the atrocious design to be compassed to which his majesty's ministers, in the name of this country, had tacitly assented. Suppose France to be in possession of Spain and of Portugal—France, a limb of the holy alliance—one of those sovereignties which had leagued themselves together against the liberties of the world—would France be contented to stop in her career? Could it be supposed that the Netherlands would be permitted to retain their independence? We should have the influence as well as the principles of the holy alliance encompassing our island on every side; and, considering that—thanks to the wise conduct of government!—the feeling and condition of nine-tenths of the Irish population was such as would make an invasion of that country more than ever easy, it was a just cause of alarm, that the whole military and maritime power of Europe would be in the hands of the holy allies, who were leagued together to get rid of the remaining spark of freedom which still existed in this country. But it was said, that France never could effect the conquest of Spain—that there were in that country millions of men who defied invasion. If this was the case, what became of the argument, that war would be dangerous and ruinous? Why, if we could have entered on a war with such allies, and in a cause so certain of success, what an opportunity had we lost of elevating our character, and of taking that high ground which we ought to take in the estimation of Europe. But he was persuaded that if the French government had known, or even apprehended, that a war with England was the necessary consequence of a war with Spain, the Bourbons would never have embarked in the unjust contest. The arguments of the hon. gentlemen opposite had been of the most extraordinary description. The right hon. gentleman who spoke last had said, who could think that the French would care for a maritime war? And why not care for a maritime war? Would she not care for the loss of her ships, her colonies, her commerce? Why it was not long ago that we had been told that ships, colonies, and commerce, were such objects, such vital objects, with France, that it was worth our while to enter into an unjust war—a war on false pretences—to oppose those objects. Then, again, to hear any man assert, even when pressed for want of better matter, that France was entitled to keep a force on the confines of Spain! Had there not been times when such a measure would have made England call for an explanation? The *cordon sanitaire!* How equivocating—how base and mean, how cruel and unprincipled, had been the whole conduct of France towards her neighbour, from the commencement of her intrigues against her, up to the very moment of invasion! And he said this with the more confidence, when he said it to a House of Commons which had actually gone to war with France, because it was reported that armaments were preparing in her ports—the report, as he believed, having turned out to be utterly unfounded. But, when was it till now, that armaments had really been preparing either in the ports of France or Spain, and that England had not demanded an explanation? Did the House recollect the words of the late lord Chatham—that a cannon should not be fired in any part of Europe, without England knowing the why and the wherefore? That a war with France would be inconvenient at the present moment, there was no doubt. There could be as little doubt that every man whom he addressed, would be desirous, if possible, to avoid it. But there was such a thing as national honour—a thing even more precious than national immediate interest; and England was sacrificing her honour as a nation, if she consented to remain at peace when the proper course for her was war. Objections to war, in a case like the present, came with an ill grace from hon. gentlemen who had been persuading the House, for years and years, of the necessity of the country being at war, and of the deep interest which she had in continental affairs. But, whatever might have been the impolicy of former proceedings, England had never until now fallen so low as tamely to sit by and see France overrun Spain. It might be said, perhaps, that England was in a situation which required repose—in a situation which made it necessary for her to consult her domestic arrangements, and to prefer her immediate to her more remote views of advantage. But, if this was the case, why not say so openly? Then there would be no compromise of character—no honour lost. But it was pitiful to see men standing forward and vaunting their strength, affecting to say —"We are what we have been; we can maintain the honours which were won for us by our forefathers;" and yet, shrinking (in a cause, too, from which least of all they ought to shrink) the moment their boasted powers were in danger of being put to the proof.

Another argument, too—a most unaccountable one—of the right hon. gentleman who had last spoken, was, that a maritime war in the Spanish cause would make the war popular with France. Really, it was something new to his ears for England to consult the taste of the people of France upon such a point. He did not mean to say a word in disparagement of that great, brave, and enlightened people; but really he must differ from the right hon. gentleman as to the probable feeling which a war on our part would excite among them. The mass of the French nation—and most of them knew it—had as deep an interest in the failure of this Bourbon enterprise as Spain had herself. But he (sir F. B.) had the facts in his favour in contradiction of the assertion. The chambers of commerce of all the trading towns in France had petitioned against the war; alleging, as a principal objection, the dread of maritime hostilities. He did not doubt, indeed, that the war would be most unpopular in France; because the French nation had a greater interest than any other in defeating the projects of the Bourbons. If England had taken part in the war, she would not have been opposed to France. She would only have been opposed to the bigotted house of Bourbon; who, if they succeeded in their counter-revolutionary enterprise, would carry the principle of that enterprise back into their own country, making that evil, eventually, recoil upon France, which they had compelled France to become the instrument of inflicting upon Spain.

There was nothing, therefore, in his view of the question, to have made a war with France, under existing circumstances, formidable. He believed he must admit, that a majority of the House was in favour of peace—of peace, "come what may." He also was for peace, as far as that peace could be consistent with the honour and safety of England; but, to barter honour and future security for the chance of present quiet was a course which, to his way of thinking, was not more cowardly than it was impolitic.

He must complain, too, that the whole line of policy now advocated by ministers ran in the direct teeth of the doctrines which, during the last war, they had never ceased to utter. Whenever peace had been talked of, during the late contest, an answer had always been ready—"The country must go on; she must maintain her high character; a nation which has once been great, can never safely consent to become little." But, when did England appear so little as she was likely to appear now if she abandoned her own interests and the interests of Europe—those interests which her blood and treasure had so often flowed to maintain—from the paltry apprehension of a miserable war, with an enemy so contemptible as the Bourbons? A great man in that House—the late Mr. Grattan—had said of another great man—lord Chatham—"With one hand he wielded the democracy of England, and with the other smote the house of Bourbon:" but of the Pitt administration, it might, with equal truth, be said, that with one hand it smote the democracy of England, and with the other set the Bourbon upon his throne.—That Bourbon, who would listen to no advice!—that Bourbon, who owed every thing to England—and who ought, out of mere gratitude, to spare her the degradation of being compelled to sit still while he perpetrated his acts of atrocious injustice against Spain!

He denied that the question before the House was a question of peace or war. He denied the position of the right hon. gentleman who spoke last, that unless the House was for war, it ought not to vote for the motion of his hon. friend. To the whole conduct of the negotiations he stood decidedly opposed. He did not see at all that ministers were bound to let France at once into the secret of what was to be the course of England. But, if it was right for England to speak out, he would tell the gentlemen opposite what it was that England ought to have said. England ought to have said—"We are sorry to see this. We wish you well. We have been your benefactors. We wish you to remain safe where you are; for it is impossible for you to commit violations of the law of nations and of the peace of Europe, without, in the end, compelling England to become your adversary." This was what he would have had said to the government of France. Not in high tone, not in coarse or offensive language, but mildly and firmly. The *suaviter in modo* was the most effective as well as the most convenient mode of proceeding. All that he wished had been said—all that he thought for the honour of England ought to have been said—might have been said in the most friendly way; and, having been so said, it could scarcely have failed to have had its effect. If France had early seen and known that England would take that line of conduct, Europe would now, he firmly believed, have been at peace instead of being at war. But now, giving his majesty's ministers credit for sincerity—and he did not give them any such credit—but, giving them credit for a sincere wish to preserve the peace of Europe, he would be judged, not by the result—although that was no uncommon, nor, generally speaking, very unfair mode of judging—but by the whole detail, from beginning to end, of their conduct, whether the most gross insincerity or treachery could have produced more mischievous effects? If ministers had been sincere, even their friends must admit that they had, from whatever cause, been, in the last degree, unsuccessful. But he gave them no credit for sincerity in their efforts. He looked to the whole course of the published negotiations. And so far from seeing the cause of the oppressed taken up by his majesty's ministers in the progress of those negotiations, he saw nothing but a constant participation in the views of the oppressor. As far as there was any exhibition of friendship towards the oppressed party, if that friendship had not been treacherous, it had assuredly been most woefully deficient in discretion and sound sense. The hon. baronet, after observing that with respect to the immediate questions before the House, he was quite as well pleased (excepting only one or two words) with the spirit of the amendment as with that of the original motion, declared that he considered the interests of Spain and of England to have been most unjustifiably compromised, throughout the late negotiations. He apprehended no other result, if the contest between Spain and France should be prolonged, but that England would eventually be compelled to enter into the contest, under disadvantages which would not have attached to her in its commencement The hon. bart. then sat down amidst the continued cheering of the House.

Mr. *Wynn* rose amidst cries of "question" from all parts of the House. The hon. member said that he had proposed to address the House; but finding hon. gentlemen so impatient, he should move an adjournment of the debate.

Mr. *Brougham* said, that much as he disapproved of the motion of adjournment, he knew well that a motion of this sort was sure never to fail, as the member who proposed it could enforce division after division. If the House would receive an opinion gathered from experience, they would adjourn at once, instead of taking the trouble of dividing two or three times, only protesting, as he did, against the motion.

Mr. *Wynn* said, that he had moved the

adjournment from a belief that the House was disinclined to hear further discussions. Since it was otherwise, he would withdraw his motion, and offer very briefly his sentiments on the question before the House. [Here the noise became so excessive, that the hon. gentleman after several attempts to be heard, sat down.]

Mr. *Brougham* said, that having been the cause of the hon. gentleman withdrawing his motion, he thought himself bound in candour to say, that he would now support the motion for an adjournment.

Mr. *Littleton* thought that it would ill become the House to allow the debate to go on when so much impatience was expressed by hon. members. He would therefore move, that the debate be adjourned till to-morrow.

The motion was agreed to, and at half after one o'clock the House adjourned.

HOUSE OF COMMONS.

Wednesday, April 30.

Punishment by Whipping.] Mr. *Grey Bennet* rose, in pursuance of notice, to move for leave to bring in a bill to abolish Punishment by Whipping. He maintained, that this species of punishment was altogether inefficacious, and that it wanted two essential qualities which ought to belong to all penal inflictions. It neither operated as an example to deter others, nor had it any tendency to reform the offender. It was, in fact, the last relic of a barbarous system of punishments which it was high time to get rid of. He was ready to admit the necessity of some punishment for minor offences, and if there were no other which could be effectually substituted for that of whipping, he would not have brought forward the present motion. There was, however, a most effectual punishment, that of hard labour, which, while it operated with sufficient severity on the offender, neither degraded nor disgraced him, like the punishment of flogging, and which might have the effect of convincing him of the necessity of habits of industry. Not long since, the punishment by pillory had been repealed, and the abolition of flogging, as applied to females, had been carried almost by acclamation. It was a ready sacrifice to the good sense and good feeling of the country. The hon. gentleman challenged any man to produce an instance in which the punishment of whipping had done any thing but mischief. He had travelled over a great part of the country expressly for the purpose of obtaining information on this subject, and he had never met with a person who had the means of observing the effects produced by this punishment on offenders, who did not declare it to be a positive evil. It was a customary thing to say it was well to whip an incorrigible plough-boy; but he was convinced such a mode of punishment only tended to make him worse. He was therefore anxious to erase this blot from the Statute-book, and to substitute something more consistent with the enlightened system of jurisprudence which now prevailed. By the returns upon the table, it appeared that no less than 6,959 persons had been flogged for various offences within the last seven years, to the disgrace of the age in which we lived. The hon. gentleman concluded by stating some objections to the 20th Geo. 2nd, which enabled a single magistrate to commit a refractory servant to be flogged. He had known many instances where the guilty had escaped because magistrates were reluctant to subject them to such a degradation. The hon. member then moved, "That leave be given to bring in a bill to abolish punishment by whipping."

Mr. *Curwen* seconded the motion.

Alderman *C. Smith* maintained the expediency of whipping, and observed that there were many offenders who would rather be imprisoned twelve months, than undergo that salutary infliction.

The *Attorney General* said, he was aware that any person who opposed such a measure as that which the hon. member had brought forward, would subject himself to the charge of want of humanity. He felt it his duty, however, to oppose the motion, because he was satisfied that the punishment of whipping was, in many cases, salutary, and that a sweeping abolition of it could not but be highly prejudicial. It might be advisable to do away with this punishment in some particular cases; but to abolish it altogether would be a very dangerous experiment. He should oppose the measure in this early stage of it, because, if the hon. member succeeded in obtaining leave to bring in the bill, magistrates might feel themselves fettered in the exercise of the power of awarding this punishment, before the bill was disposed of.

Mr. *Lennard* observed, that the principle had been admitted in the abolition of the practice of whipping females, and he saw every reason for carrying it further. It was a punishment that must have different effects upon different minds, and might be slight or severe, according to the pleasure of the person inflicting it.

Mr. *Dawson* saw no sufficient ground for the motion, and, if necessary, would take the sense of the House upon it. Without whipping, magistrates would not be able to compel subordination and discipline in prisons.

Mr. *Hobhouse* denied that there was any statute by which magistrates were authorized to flog for the purpose of keeping up the discipline of prisons. Whipping was the sentence of a court; and, he believed, could not be inflicted without it. As to the private infliction of whipping, though it might be rendered less disgusting by that means, one of the great objects of punishment was the publicity of the example, and if we must have flogging, he should prefer the public to the private infliction of the punishment. Flogging in private was in fact a species of torture which the spirit of the English law did not justify. The more he considered the subject, the more he was convinced of the necessity of extending the provisions of the late act, which abolished flogging in respect to female offenders. If the House had judged it necessary to respect the decency of females, he did not see why they should not also respect the manliness of the other sex by abolishing this degrading punishment. A man once punished in this way lost all self respect. The frequent infliction of this punishment had tended greatly to degrade the character of our seamen; and our navy was well known to be supplied by a class of men, upon whose moral character and habits little reliance could be placed. He himself knew an instance of a commander of a ship, who was obliged to sleep every night with sentinels planted at the door of his cabin with loaded blunderbusses, and who assigned as a reason for the precaution, that his life was in jeopardy, seeing that there was not a man on board his ship who had not been flogged. He trusted the House would see the necessity of abolishing a punishment, which was contrary to sound principles of penal legislation, as well as to common decency and humanity.

Mr. *N. Calvert* thought the punishment required modification, but was not friendly to its total abolition. He saw no reason why, if flogging were abolished in prisons, it should not be abolished in schools. If it were true that it destroyed all self-respect, he believed he was surrounded by many gentlemen who could not have a particle of it remaining, from the many castigations they had endured in their youth.

Mr. *S. Bourne* agreed that the punishment of whipping, in order to be salutary, ought to be public; but objected decidedly to the total discontinuance of it. He thought that, in the case of a hardened offender it was often attended with most beneficial effects.

Mr. *J. Smith* approved of the principle of the motion. One argument had not been adverted to, which might be urged in support of the abolition. He alluded to the improved state of knowledge among the inferior classes of the people. As to flogging in public schools, it was much less frequently resorted to than it used to be.

Mr. *Sumner* thought the introduction of the tread-mill would render the punishment of whipping in prisons less necessary. If the hon. member brought in his bill, he would recommend an exception with respect to juvenile offenders, to whose case the punishment of whipping was peculiarly adapted.

Sir *I. Coffin* declared that, in the whole course of his naval experience, he had never heard of such a case as that mentioned by the hon. member for Westminster. He thought it impossible that the story could be well-founded. He had himself commanded the Melampus, during the late war, for fourteen months, and during the whole of that period he had punished only one man.

Sir *R. Heron* thought it was high time to abolish so degrading and unequal a punishment.

Mr. Secretary *Peel* said, that all the information he had been able to collect on this subject led him to think that the abolition of the punishment of whipping for minor offences would be a dangerous experiment. If the principle of the hon. mover were well-founded, they ought not to stop here; but the punishment of flogging in public schools ought to be abolished by act of parliament. It was peculiarly incumbent upon those who advocated the necessity of mitigating the severity of the penal code, in respect to capital punishments, to beware of rendering such an experiment impracticable, by narrowing too much the scale of minor punishment. For his own part, he had always been friendly to the punishment of whipping, when exercised within salutary limits; and upon looking into the records in his own office, he had not been able to find a single instance of abuse for the last seven years. Solitary confinement was, in his opinion, a much more rigorous punishment, and one which was much more likely to break the spirit, than moderate whipping. There were some instances of offences in young delinquents of a nature so flagrant, that no other punishment seemed to have any effect upon them. He would notice but one, and that was the case of a youth of 14, who had been guilty of four thefts, even in the prison in which he was confined. He thought that, for the proper administration of justice, the continuation of the punishment was necessary.

Dr. *Lushington* denied that the practice of flogging was necessary to discipline, either in our army or navy. He was convinced that where soldiers or sailors were subjected to it, their feelings became blunted, and their moral characters degenerated in proportion. The flogging at public schools proceeded upon a different principle; but there were instances in which, at public schools, the practice had been carried to a most improper excess. He objected to public whipping; it was a disgusting exhibition. And, in cases where floggings were privately inflicted, who was to superintend the punishment? The fact was, that its lightness or severity depended, almost entirely, upon the feeling or caprice of the gaoler.

Mr. Alderman *Wood* said, that in the gaol of Newgate, the punishment was always inflicted under the inspection of the sheriff or of a visiting magistrate.

Mr. *Home Drummond* thought it impossible that the narrative of the hon member for Westminster could be correct. It could hardly have occurred without being noticed at the Admiralty.

Sir *T. Baring* thought that boys might be whipped with less impropriety than men; and that though the punishment might tend to reclaim young delinquents it had no such effect on old ones.

Mr. *Martin* of Galway, thought there were cases in which the continuance of this punishment might be desirable, although he thought the manner of inflicting it deserved to be inquired into.

Mr. *Estcourt* thought, that, as the whole end of punishment was the deterring of others from crime, and as there could be no doubt that such was the tendency of the punishment of flogging, it ought not to be abolished. In the present state of prison discipline it was indispensable.

After a short reply from Mr. Bennet, the House divided: Ayes, 37. Noes, 70.

List of the Minority.

Baring, sir T.
Bernal, Ralph
Brougham, H.
Blake, sir F.
Byng, G.
Caulfield, hon. H.
Corbett, P.
Cradock, col.
Curwen, J. C.
Denman, T.
Fergusson, sir R.
Folkeston, lord
Grant, J. P.
Hume, J.
Hornby, E.
Hutchinson, hon. H.
Kemp, J.
Lushington, S.
Leycester, R.
Lennard, T. B.
Maberly, J.
Maberly, W. L.
Monck, J. B.
Milbank, M.
Martin, R.
Newport, sir J.
Ricardo, D.
Robinson, sir G.
Rice, T. S.
Smith, J.
Smith, R.
Talbot, R. W.
Tulck, C. A.
Wood, alderman
Williams, O.
Williams, O. jun.
Wodehouse, E.

TELLERS.

Bennet, hon. H. G.
Hobhouse, J. C.

NEGOTIATIONS RELATIVE TO SPAIN.] The order of the day being read for resuming the adjourned debate upon Mr. Macdonald's Motion respecting the Negotiations relative to Spain, the original motion and also, the Amendment proposed by Mr. Stuart Wortley were read by the Speaker. After which,

Mr. *Wynn* rose. He began by stating, that after the most serious consideration of the important subject which had for two nights occupied the attention of the House, he was firmly convinced that no other measures than those which had been adopted by his majesty's ministers would have been consistent with the interests of the country. He could not discover any intermediate course which they could have taken between war and the neutrality they had preserved. He was aware that it had been suggested by the hon. member for Westminster on the first evening of the debate, that our minister at Verona ought to have told France that if she still persisted in her unjust intention of attacking Spain, he would go home and submit the subject to a British parliament. Now, he must contend, that if any minister had done so, he would have thereby degraded himself, and have acted contrary to the spirit of the constitution, by shifting from his own shoulders the responsibility which every minister assumed, and by which he was liable for any advice he might give to the Crown. Moreover, the principle of the British constitution gave to the Crown the right to make peace or war. It was the duty of ministers to advise the Crown on the subject, and afterwards to submit their conduct to the approbation or censure of parliament.

He was aware it had been said, that if a firmer and more vigorous language had been used, the evils of war would probably have been averted. But, he thought that, whether they looked at the language used by the late lamented secretary of state, in 1820, when the proposed interference of other powers in the affairs of Spain first brought this subject under the attention of the House—or whether they looked at the language used by the duke of Wellington at Verona, or with M. de Villèle and M. de Chateaubriand at Paris—the opinion of this country had been distinctly stated that, no interference by the other powers of Europe in the internal affairs of Spain could be justified. That such interference on the part of France was unjustifiable had been plainly asserted on the grounds of its being not only injurious to Europe, but pregnant with the greatest danger to France herself. He must therefore be allowed to say, that whether these opinions had been stated in terms stronger or weaker, still they had been distinctly stated; and the conduct of great nations was to be governed by things and not by words. He thought that the mitigated tone so much found fault with by gentlemen opposite, better suited this country in the way of mediation and the interposition of good offices, than a more decided tone of menace would have been. If the language recommended last night by the hon. baronet (sir F. Burdett), and which amounted to a threat of war, had been used, we should afterwards have been told that we could not retract, and that we were bound to support Spain by our arms provided our advice was not followed. To employ such language, then, would have been to degrade England, and to deceive Spain.

Neither did he think that France would have been deterred from her intention merely by the menace of war on the part of this country, seeing that she would of course have calculated on the support of the allied sovereigns. He concurred fully in the strong censure so ably expressed by gentlemen opposite upon the conduct of the French government. During the whole of his parliamentary life, he had uniformly opposed the encroaching spirit of jacobinical and of imperial France. He had strenuously opposed the attempts of the former government of that country to extend her dominion over the other nations of Europe. And, if these were unjustifiable, no less so was the same conduct of the Bourbons, and no more ought it to be endured. [Hear, hear.] But, while he entertained that opinion, he was also convinced that it was the duty of this country not to indulge in vituperative language in its communications with foreign governments; seeing that the use of such language could only tend to irritate, where it was the object to soothe and to procure the restoration of the peace of Europe. He admitted that the invasion of Spain by France furnished Great Britain a justifiable cause of war, provided our interest made such a course expedient. But, governments were not bound merely because a cause of war existed, without reference to other considerations to embrace the alternative. At the commencement of the present contest with France. Spain had under the colour of a blockade of the ports of its South American colonies, captured many of our merchants' ships, and done other acts that would have fully justified this country in declaring war against her. Did we, therefore, feel ourselves obliged to go to war with Spain under those circumstances? On the contrary, we had felt ourselves justified in continuing to remonstrate; seeing that the interests of our own country did not demand that we should have recourse to arms. Such had been the opinions of his majesty's ministers, and such had been also the opinion of the greatest statesmen who had ever sat in that House, whether they had or had not formed part of the administration of the country. As a proof of this, he need only refer to the case of Holland in 1786. At that period, this very principle was acted on; and it was distinctly admitted to be justifiable by that great man, the late Mr. Fox. It was then stated by him and his friends, that, in our intercourse with nations which were at war, it was not for us to look to which of the parties were in the right, but to consider, so far as our interests were concerned, which of them it was prudent to support. [In defence of this the right hon gentleman read an extract from a speech of Mr. Fox.] The same principle was advocated with respect to Spain, by the present lord Grey, in 1810. It was not necessary for him to state the opinion of that noble lord at length, although it applied exactly to the present case. The arguments which the noble lord had used were directed against our interference in the affairs of Spain at that period, although we were not then incurring a war for the sake of the Spaniards, but making use of them to further our own policy, we being prior to that time at war with France. Various considerations must operate to justify a state in going to war. Great nations could not be expected to act on the abstract principle of pure and unmixed generosity. They must consider how far their interests, foreign and domestic, would be affected by entering into a state of warfare. One hon. gentleman seemed to be of opinion, that this country might adopt a cheap and economical system of naval warfare, which would be rather beneficial than injurious to her resources—a warfare that would give an additional incitement and fillip to our commerce and manufactures. Such, however, was not sufficient reason for engaging in war. No country ought to enter into a state of warfare, unless there were powerful motives to induce it to maintain the contest—such motives as would determine it to bring it to an honourable conclusion. Mr. Burke had well observed, "that the goddess Bellona was not a female to be flirted with." "The sword," said the Spanish proverb, "ought not to be drawn without reason, nor sheathed without honour." Where, in this case, was the "reason" which would induce us to adopt a hostile course? He confessed that he could not see it. If this country determined on war, an army, and a large army, must be sent into Spain. But if, as they had been confidently told, it was impossible for France to keep possession of Spain—if the idea of Spain becoming a province of France was visionary and unfounded—then why should this country interfere at a great expense? In his opinion, it was quite impossible that France could hold a greater portion of Spain than that which was actually occupied by her armies. But it did not follow, from this state of things, that Spain would have the means of affording effectual assistance to any auxiliary force that might be sent to her aid. He believed that by adopting the mode of warfare in which the Spanish people were most experienced, and consequently most expert, they would be able to waste and dissipate the armies of their enemy. But he did not think that they had, at present, such a force as could resist the French army in the open field; and he was of opinion, that any increase of force which this country could give them would not be sufficient to enable them to cope with the French in regular warfare.

They must, then, come back to this consideration—"Have the Spanish government the means of supplying this country with such resources as are necessary for carrying on the war?" If they had not, then we must take the government into our own hands, and exercise the same control which we exercised during the late Spanish war, and in the case of Portugal.—It had, however, been contended by some of the supporters of the original motion, that to that result we must come at last; that, although we had hitherto kept out of the war, we must in a short time be involved in it; and therefore that we might as well have entered into the war originally. This was an argument which, if it was good for any thing, went to prove that, whenever France went to war, we were bound in the first instance to take a part in it. It was true that it was impossible that France could go to war with any other country without exciting some apprehension on our part that we might be ultimately drawn into the contest. But was the apprehension of a remote and contingent danger to force us into a certain and immediate evil? The hon. mover had contended that, if France succeeded in Spain she would next attack Portugal. In answer to that, he begged leave to say, that when such an invasion took place, then, and not till then, would be the time for this country to interfere. This country, it should be recollected, had repeatedly protected Portugal against the whole force of France and Spain, even when France wielded the whole power of Spain. But, could France now wield the force of Spain against this country, even if she succeeded in her design. To do so, she must have possession, not merely of the territory, but of the mind of Spain. She must have, what he had no doubt she never would have, the voluntary and hearty concurrence of the Spanish people. The hon. member for Westminster had said, on a former night, that the great majority of the people of England would support a war if it were clearly understood that it was a war of the people of Europe against the kings of Europe. For the people of England he (Mr. Wynn) disclaimed any such sentiment. It was a declaration that could be paralleled only by that of the French government in November 1792, which had justly united all the powers of Europe against France. It was an intimation of a disposition to interfere in the internal affairs of other countries, which came with a singularly bad grace from an hon. gentleman who viewed with jealousy, and just jealousy, the interference of France in the internal affairs of Spain. For his part, he believed that the people of this country would view with equal disapprobation, any interference in the internal affairs of other countries, whether that interference was in behalf of the governors or of the governed; but, until the proceedings of foreign powers affected us, and endangered our own safety, it would not be justifiable in us to mix ourselves up with questions of internal policy. Much had been said of the system of government which now prevailed in Europe. The House heard the phrase of "the accursed monarchical principle." The monarchical principle deserved no such appellation. In this government it was a mixed principle; but it was that principle which had been found to give the greatest support to civil liberty that was ever known at any period of time. When the monarchical principle was reviled, as being fraught with the principles of tyranny, he would say that he could conceive no greater tyranny than the tyranny of the multitude. The monarchical principle, he contended, in opposition to the hon. member for Westminster, was not hostile to liberty.

Mr. *Hobhouse* said, that his observations were intended to apply to the monarchical principle, as expounded by the tyrants of the continent.

Mr. *Wynn* said, he understood the observation of the hon. gentleman to have extended further. But, upon the same principle, he could not see the necessity or propriety of interfering with the policy of other states, neither could he perceive the justice of animadverting with asperity on the conduct of foreign potentates. In that House, he knew, gentlemen might indulge in whatever language they pleased, relative to foreign sovereigns: it was, however, no great display of manliness to make such observations when there was no danger in making them. It appeared to him, however, that such a course tended greatly to increase the difficulty of preserving the peace of Europe. The habit of using language of the nature which he had described, was a habit which he, for one, must deprecate.—He would next advert to the memorandum of the duke of Wellington, addressed to the Spanish government, in which the Spanish king was spoken of in terms of which some honourable members disapproved. He disclaimed any wish to defend the conduct of the king of Spain from the year 1814, to the year 1820, but he thought it did not follow that he should agree in the disapprobation which had been expressed of that part of the noble duke's memorandum. He understood the noble duke's language to import nothing more than that the personal character of a sovereign could afford no reason for overthrowing a monarchy, or for depriving him of those powers which were necessary for a sovereign to possess in order to his acting in that character. He saw no reason for our interference, on this occasion, with a sort of chivalrous generosity. Ministers ought to do nothing which they could not justify to the subjects of this country in the most perfect manner. The government of this country had for six years been complaining of the injuries which British subjects had suffered from Spain—injuries which would, in fact, justify a war. What had been the result? Why, the remonstrances of the British government had not been attended to. He would ask, then, could they justify themselves to the people of this country, if they now proceeded to make war in defence of that government which had not attended to their representations? It was said, that this government had proffered its good offices between France and Spain. This, however, had been done at the request and recommendation of Spain. It was asked, whether this country, having proffered its good offices, had afterwards performed what Spain had called for? He would answer this question in the affirmative. Spain had called for the exertion of our good offices, and those good offices we had exerted. In his opinion, this country ought, under existing circumstances, to adhere to a system of strict and real neutrality; but, if a case should arise which made it necessary that she should engage in the contest; he had no doubt that the spirit of the country would enable her to meet the difficulties of her situation with the same firmness and the same vigour which had distinguished her during the last war.

Mr. *Leycester* said, he rose for the purpose of repelling the supposition, that the question before the House was, whether there should be peace or war? The question for consideration was the real nature and true character of the late negotiations. He disapproved of the whole course which had been adopted by his majesty's ministers. Why had not the opinion of this country been supported by an effective remonstrance? That such a remonstrance should have been made, they had the authority of ministers themselves. He had looked over the papers with the utmost anxiety, but could find no instruction with respect to the conduct of France, which went further than "To hint a fault, and hesitate dislike." His hon. friend, the member for Surrey, had stated his conviction, that even if the language of his majesty's ministers had been more forcible, war would not have been avoided. Now, his own view of the case was exactly the reverse. Had ministers used forcible language, the French government would not, he believed, have ventured on war. The French had, if he mistook not, some very unpleasant reminiscences of their recent struggles with this country, which would have induced them to pause, if strong language—language such as the aggression warranted—had been used. Had not that House, with one voice, proclaimed the infamy and atrocity of the attack upon Spain? Had not a noble lord (F. Gower), who was friendly to ministers, described the insane conduct of the French government as similar to that of the herd of swine mentioned in scripture, which being possessed with an evil spirit rushed on its own destruction? The proceedings of France, had on all hands been admitted to have been flagrantly unjust. In another place, indeed, he understood, that, by one individual, sentiments of a different kind had been uttered. He could scarcely believe the report. He could scarcely believe that any Englishman could be found capable of expressing the opinions ascribed to the individual to whom he alluded:—

"Who but must laugh, if such a man there be?
"Who would not weep, if the great duke were he?"

[Laughter.] If the duke of Buckingham's advice were followed, if his principles were successful, then Ferdinand might, at his pleasure hang up San Miguel, Arguelles, and all the other illustrious patriots who adopted liberal opinions. As he viewed the case, nothing appeared to be wanting in the conduct of his majesty's government on this occasion and common humanity. He could not conceive how any set of men, possessing common justice and common feeling, could have taken such a course. With respect to the negotiations, he would content himself with expressing his opinion of their character, by saying that it appeared to him to be too civil by half. That superfluity of complaisance, proceeding, he believed, from the laudable anxiety of averting war, was, he conceived, the great cause of producing hostilities, instead of preventing them.

Mr. *William Williams* defended the right of the people of Europe to re-model their governments on the representative system. He could see no danger from their doing so; and he never expected to have heard a contrary sentiment expressed in a British House of Commons. He thought that every man who loved the British constitution ought to rejoice when he saw other nations adopting the principles on which that constitution was founded, and establishing a system of representative government. He believed, that prior to the conference at Verona, this country was pledged to oppose the political views which were there disclosed by the allied monarchs. When he looked at the general conduct of his majesty's government at Verona, he could not help declaring his approbation of their line of policy, although in some of the particulars he did not go along with them. He was not one of those who thought that the use of menaces would have become England, during her negotiation with independent states; at the same time, he thought she might have used conduct towards France somewhat more firm, without exceeding the sober language of truth and justice. There was still something in the argument, that if violent language had been held it might have led to war—a result which he should have scrupulously deprecated. There was something so horribly devastative in war, something so afflicting to the human race—that hardly under any other circumstances than the imperative defence of national honour and independence, would he consent to have recourse to it. He felt this difficulty in the present discussion —he could not vote for the original motion, because he thought its pledge involved a question of war; nor could he vote altogether for the amendment, because it contained an unqualified approbation of the conduct of government. He was willing to give his majesty's ministers credit for feeling an abhorrence of the principles of those assembled despots who were ready to assail the people of an independent nation; but, he thought they had not spoken out in sufficiently decisive terms to France upon the atrocity of her invasion of Spain. He readily admitted, that were it expedient for England to embark in a contest with France, there were not wanting sentiments in the speech of the king of that country to justify such a proceeding; but, when the policy of war became questionable, it was still open to them, and he thought it would be attended with salutary effect to declare, by an unanimous vote of parliament, their abhorrence of the principles avowed by France, and supported by other sovereigns, and their execration of the introduction of such international interference into the system of the governments of Europe. It would not become him to move an amendment to that effect, even if the rules of the House permitted him; but he thought that the principal gentlemen on each side, who agreed as to the foul character of the present aggression against Spain, might, in five minutes of mutual explanation, frame such a declaration as he had hinted at, and send it up to his majesty in the shape of an unanimous address. He thought that such a proceeding would be calculated to do good at the present juncture; and, as to the question of war, he had no doubt that he spoke the sentiments of 999 out of every 1,000 persons throughout the kingdom, when he declared that the interests and policy of England at this crisis ought to be pacific. It was to the honour and credit of the country that all party spirit had yielded to the general and unqualified condemnation of the proceedings of France against Spain. He implored the House to adopt such a course as he had recommended. It would preserve to this country her natural situation, as the centre of independent nations, and, perhaps, ultimately secure for Spain those liberties for which she was now in arms contending.

Mr. *William Peel* said, he entirely approved of the conduct of his majesty's ministers throughout the late negotiations, and should, therefore, give his hearty assent to the amendment of the hon. member for Yorkshire. So far from thinking that his majesty's ministers had, in any part of their conduct, compromised the honour or interests of the country, he was of opinion, that never was its character and station better sustained, than it had been during the late proceedings at the congress at Verona. He would ask those gentlemen who were now so loud in the expression of their desire to involve the country in a war, whether they were prepared, if the government were really driven to hostilities, to afford that lavish expenditure which such a state would of necessity call for? It would be ridiculous to argue that the resources of this country were not sufficiently ample to enable her to embark in war, if war were necessary for her interests or honour. That country, to which every other country appealed, and to which every other country was indebted, was surely not the only country which could not support a war. That we possessed resources for carrying on a war was indisputable; but the question was, whether those resources should be husbanded, or whether they should be squandered away unnecessarily? The best policy was that which his majesty's government had adopted. It was the true language of caution, "to beware of entering into the quarrel of another." With regard to the conduct adopted by France against Spain, there was no man more sensible than he was of the striking folly, absurdity, nay even madness of the French invasion. Indeed, he never thought France would have ventured upon so disastrous a step until she had actually passed the frontier. He trusted that God would send the Spaniards a speedy and a safe deliverance. Still he thought the policy of this country was neutrality. He knew such to be the wish of his constituents, and he believed it to be also that of the great bulk of the people at large.

Lord *Palmerston* said, that he did not mean to enter into a discussion of the details of the papers on the table, but he wished to take a more general view of the question under consideration. Whatever difference of opinion might exist upon some points, there were two on which all seemed to agree; first, the injustice of the conduct of France, and next that the contest, end as it may, must be injurious to the interests of England. The government therefore had every motive which could arise out of general principles and public duty to use their utmost endeavours to prevent the rupture. We had but two courses from which to chuse, neutrality, or war in conjunction with Spain; but whichever we had determined to adopt, it became us to adopt it decidedly and adhere to it consistently. Some, indeed, had proposed a middle course, and, strange to say, would have had us use threats in negotiation, without being prepared to go to war if negotiation had failed. Such a course would have been degrading. To have talked of war, and to have meant neutrality, to have threatened an army and to have retreated behind a state paper, to have brandished the sword of defiance in the hour of deliberation and to have ended with a penful of protests on the day of battle, would have been the conduct of a cowardly bully, and would have made us the object of contempt and the laughing-stock of Europe.—Having, then, determined upon neutrality, the question was, how best to dissuade France from attack, and to persuade Spain to concession in order to give France a fair pretence for retractation?—It had been said, that a higher moral tone ought to have been taken by this country, and that true and just principles ought to have been more prominently put forward. If, indeed, the government, instead of labouring to preserve the peace of Europe, had only thought of getting up a case for the House of Commons, it would have been easy to have written papers to satisfy the keenest cravings of the most constitutional appetite. But the object of the government was not to lay a good foundation for a parliamentary debate, but to persuade those whom they were addressing.—The gentlemen opposite were constantly declaiming against the governments of Europe, representing their sovereigns as arbitrary despots, and their ministers as insensible to all the principles of public right by which the intercourse of nations should be governed, and by which their independence is maintained; yet, to these very men they would have had the government address nothing but long and elaborate dissertations upon those abstract principles which they are alleged not to admit.—"Cum principia neganti non est disputandum;" of what use is it to dwell upon abstract principles with those who are accused of measuring right by power and of ruling their conduct by expediency and not by justice?—If one wishes to convince men one must apply one's arguments to principles which they recognize: if one wishes to persuade them one must urge motives whose influence they feel.—Still however, those principles of which we maintain the justice, were asserted and repeatedly put forth, because it was due to the character of this country to avow and declare them, and because the truth cannot be too often declared; for it is great and must in the end prevail.—But the arguments most to be relied upon were those which came home to the feelings of those persons whose counsels were to be swayed. We maintained the injustice of interference, but urged strongly the improbability of its success; we denied the right of France to dictate a government to Spain, but pressed upon her the danger of creating a revolution at Paris by endeavouring to put down a revolution at Madrid. While thus on the one hand we tried to dissuade France from attack, we endeavoured to persuade Spain to take steps which might make retractation less difficult to France.

It is said, that this was counselling dishonour to Spain. He denied it. This advice was given as to friends, unaccompanied by the slightest menace, but on the contrary by the sincerest proofs of good-will. At the time it was given we did not know that France had determined to enter Spain. The Spanish government did not know it, and in all probability that determination had not actually been taken by France herself. Any change, therefore, which the Spaniards might have made, might have been a spontaneous act and unaccompanied by any dishonour.

But, would such a modification of the Spanish constitution have been a sacrifice of institutions on which the welfare of Spain depended, and which were consecrated in the affections of Spaniards by long experience of blessings under them enjoyed? Quite the reverse! He was no lover of despotic government: he hated it upon principle, as much perhaps as some of those gentlemen opposite who were the loudest and most frequent declaimers against it; but he could not shut his eyes to the glaring defects of the Spanish constitution; and sorry indeed should he be to have to live under such a government. Instead of providing for its gradual consolidation, it carried within itself the seeds of its own destruction; and instead of securing the welfare and tranquillity of the people, it contained nothing but the elements of eternal discord. This was the opinion, not merely of strangers, but of some of the most enlightened Spaniards. Was it false friendship, then, to advise our allies to remedy the most glaring of these defects; and was that advice the less honest because by its adoption might have been purchased external peace as well as internal concord?

But an objection had also been taken to the channel by which this advice was tendered. He differed entirely from those who urged such an objection; and he could not but think that the choice of the duke of Wellington as the person by whom this advice was to be given, was most delicate towards Spanish feelings, and most consistent with a regard to Spanish honour. If there was any man in Europe from whom advice to Spain would flow free from the remotest taint of suspicion, and might be taken by all Spaniards as dictated by the sincerest regard for Spain, it was the duke of Wellington.—It is often said, that nothing creates so strong an affection as the consciousness of benefits conferred. If ever there was a man who conferred upon any nation, benefits which should call down blessings on his head from every voice, from the lisping accents of infancy to the tremulous benedictions of age, that man was the duke of Wellington—that nation the Spanish people.—It is also true in the principles of human nature, that man loves the theatre of his glory and the companions of his triumphs. The proudest laurels which encircle the brow of the duke of Wellington were gathered in the sterile and unfruitful fields of Spain; it was in the provinces of the peninsula and surrounded by its co-operating population that he displayed those various qualities which form the character of the unconquered general and the consummate statesman—characters which, rare in their separate existence, are uncommon indeed in their union in the same individual; it was there that he established that imperishable fame that will last while history endures. Was it in human nature that the duke of Wellington should not take the warmest interest in all that concerns Spain and the Spanish people? Was it possible that they should not feel, that advice from him came as free from suspicion as from the best patriot in Spain; and could they suppose that the man who had rescued Spain from subjection, and washed out from her soil the pollution of invading footsteps in the blood of the defeated invader could counsel Spain to dishonour?

He must be a bold prophet who could venture to foretel the issue of the contest; but he must indeed be an unwise politician who could have plunged us at once and blindfold into the war. Our own principles forbad us, till we could see more clearly which way the real sense of the Spanish nation might turn. It was notorious that Spain was divided. It might continue so; or, national indignation being roused by foreign interference, intestine quarrels might be laid in temporary oblivion, and the nation might unite to drive out the intruder. If the former event took place, we might by precipitation have found ourselves engaged, in violation of our own principles, in supporting a minority, in their endeavours to impose upon the nation by force a form of government repugnant to the will of the majority; if the latter event occurred, our assistance would not be required.

But, if principle led us to pause, prudence equally did so. Never did this country want repose more than at the present moment; never was there a time when it would have been more unwise to engage in a war upon chivalrous and romantic principles, when it was not necessary for our own interests or honour to do so. The country was just beginning to recover from the exhaustion created by a struggle without a parallel in history, whether with reference to the tremendous danger against which it was undertaken, the gigantic efforts by which it was maintained, or the complete success with which it was concluded. We were undoubtedly able to bear any sacrifice which our honour or our security required; but, would it not have been madness to check our progressive recovery without any such paramount motives?

But then it was said, the war, if we had engaged in it, would have been one of a very different scale of effort from that which we last carried on—we might have assisted Spain by ships and money without sending an army to the Peninsula. But how could ships operate in such a case as this? What was the danger? The invasion of the interior of Spain by the armies of France. And, what the proposed prevention? To send a British fleet to the Mediterranean. We might have covered the ocean with our ships; we might have blockaded every port in Europe; but unless those ships had been employed to carry an army to Spain, and to feed that army with supplies, we should only have incurred a loss of money and of character, by making a vain parade of assistance so inapplicable and unappropriate. But, it had been urged in the debate of the last evening by an hon. gentleman under the gallery, that we might by means of our fleet have crippled the resources of France, by attacking her commerce and taking possession of her colonies. If such had been our policy, what would have been the language of reproach which the governments of Europe would have been justified in addressing to us?—" O ye consummate hypocrites!" would they have said, " you have made Europe ring with the loftiest sentiments of good faith, of generosity, and justice; you have declaimed eloquently and loudly against interested attacks of one nation upon another, against acquisitions of territory, and projects of individual aggrandizement: but, oh ye nation of philosophers, how have ye practised the principles you preach? you have indeed made the rupture between France and Spain a pretence for declaring war against the former; you have indeed taken advantage of the difficulties and embarrassments which that rupture brings upon France to enrich yourselves by plundering her unprotected commerce; by seizing upon her undefended colonies; to gratify British cupidity no effort has been omitted, no opportunity foregone; but as to the unfortunate Spaniards, those much loved allies, for whom such tender sympathy has been professed, for whose sake you pretended to be driven to arms, to whose rescue you affected to be preparing to rush—as to the unfortunate Spaniards—them have you abandoned to their fate; and though the legions of France are pouring down from the summits of the Pyrenees, and spreading like a torrent over the plains of Castile, not one British bayonet have you sent to succour and support your sinking allies." " Tell us not," they would have added, " that you are a maritime power and engage not in continental wars; tell us not that England fights her battles on the ocean, and mingles not in combats by land; for in this very Spain, in support of these very Spaniards, opposed to these very French, have we seen you take the field in all the plenitude of military power, and we have seen you drive back the invader over the mountains from which he came, and restore liberty and independence to Spain. But then you had objects of your own to accomplish, then you had a Buonaparte to dethrone; it was your own battle which you fought and not the battle of Spain; now you have no such inducement to exertion; you know full well the immeasurable difference between the Napoleon of those days and the Bourbons of this; and, true to your selfish policy and interested principles, you refuse to make an effort which could alone benefit your allies, and meanly content yourselves with plundering merchant-men and conquering sugar islands." If such reproaches had been addressed to us under such circumstances, he thought it would have been difficult indeed to have found a satisfactory reply. But then we might have assisted Spain by money. By money we might indeed have organized regular armies, and by money we might have bought pitched battles; but those battles would have been lost and with them the money of England; those armies would have been dispersed, and with them would have been dissipated the hopes and spirits of Spain. The surest, though it may be the slow resource of Spain, is the desultory but ubiquitary resistance of her population; a war peculiarly adapted to the nature of the country—and to the character and habits of the people; but that war needs no assistance from us, and can be maintained by the internal resources of Spain, without any supplies of money from hence. Had we engaged in the war, it is by an army alone that we could have given effectual assistance, and from the first moment that an English soldier set foot on the Peninsula, we should by necessity have become principals in the war, and upon us would have fallen the whole burthen of the contest: for we must have sent a large army or none at all. To have sent a force so small as to depend upon Spanish co-operation and support, and not large enough to act independently and to stand upon its own resources would have been to expose us to the certainty of defeat and disgrace, and wilfully to drag in the dirt the laurels we gained in the last war. But, who is prepared to say that we ought at this moment to have engaged in such a contest, and that the government has not acted wisely in keeping us out of it as long as possible? If Spain is divided, our interference is on principle questionable; if she is united, our interference is unnecessary; if, being united, she is successful without our aid, much will have been gained and nothing lost; by our abstinence we shall have preserved unbroken our own resources for future occasions, if any should occur, in which our own honour, interests, and safety shall be more directly concerned; and Spain will have had fuller and freer scope to develope that national energy which, while it will make her more worthy of her independence, will qualify her better to enjoy and to maintain it; and if, in spite of our forbearance, we should at last be compelled to take a part in the war, the prolongation of repose will better enable us to bear the burthens which will become inevitable, and the people of this country will then more cheerfully submit to the sacrifices which must be demanded at their hands; because they will have the satisfaction of knowing that the government have deferred those sacrifices till the latest possible moment.

Colonel *Davies* said, he had only a few observations to offer to the House, and those few should be directed to show, that the gentlemen who supported the original motion were not necessarily the advocates of war. He would, however, say that, as far as his own individual feelings were concerned, if the result of the debate of that night was to decide the question of peace or war, his vote would be for war: but he was aware that a question of this importance ought not to be decided by individual feeling. Those hon. members who had spoken against the motion had, for the greater part, gone upon the expediency of maintaining a state of peace. But he maintained, that if his majesty's ministers had taken the firm and decided tone which became this country, they would have effectually deterred France from her aggressions upon Spain. [There was at this time so much coughing and confusion in the House, that the hon. officer was audible at intervals only.] He should be sorry to say any thing which might be offensive to hon. members, but as he did not intend to occupy much of the time of the House, he could assure them that those expressions of impatience, so far from having the effect of shortening the debate, would only tend to lengthen it; as he should most undoubtedly go on. The hon. officer craved the attention of the House to the language of the right hon. secretary for foreign affairs, in his answer to the duke of Wellington's letter of September the 21st:—"If there be a determined project to interfere by force, or by menace, in the present struggle in Spain, so convinced are his majesty's government of the uselessness and danger of any such interference; so objectionable does it appear to them in principle, as well as utterly impracticable in execution, that when the necessity arises, or (I would rather say) when the opportunity offers, I am to instruct your grace at once frankly and peremptorily to declare, that, to any such interference, his majesty will not be a party." The honourable officer said, that this declaration was followed, some time afterwards, by a request on the part of Spain, that we would mediate between her and France.—The hon. officer was going on to show that when Spain so solicited our good offices, we had promised to give them to her in the real sense of the word, when he was again interrupted by cries of "question," and other expressions of impatience; during the prevalence of which it was impossible to hear him. He said, he knew the impatience of the House, but he was really determined to state his opinions on this momentous subject. He conceived, then, that in the course which his majesty's government had adopted during these negotiations, the interests of this country had been neglected, and her honour had been compromised; while it was impossible, on the other hand, to say how soon we might be forced out of our neutrality, and compelled to adopt that very alternative which our timid and indecisive policy had vainly endeavoured to avert. [Here the noise was again renewed.] When gentleman had done, he would proceed. He should have done ten minutes ago, but for these interruptions. [Coughing.] The hon. officer concluded, by expressing his dissatisfaction with the conduct of ministers on this occasion, marked as it had been by such a want of firmness, candour, and resolution; and declared, that, for the reasons he had stated, he felt himself bound to give his hearty support to the original motion. [Loud cries of "question, question!"]

Mr. *Horace Twiss* rose amidst cries of question from the Opposition benches

He said, that if it was the pleasure of the House to prevent his being heard, he would sit down without another syllable [Hear, hear!]. But, if they were desirous that he should proceed, he would not abuse their indulgence by any prefatory statements, but come at once to the points in issue. Perhaps, then, continued the hon. and learned gentleman the most prominent charge against the government in the course of these debates has been, that they ventured, in their negotiations, to repress the rising liberties of Spain, by counselling some certain modifications of her constitution. For what purpose? Basely to buy off the unjust hostility threatened by France? No; but, to compensate France for withdrawing that body of military observation, which, however vexatious to Spanish feeling, she was entitled to continue within her own frontier, for her own protection. Why, then, what means the imputation, that we influenced the Spaniards to waive the principles of their independence? If they had surrendered the smallest point to the menace of hostility, they would, I freely admit, have given up the entire principle; but if *they* gave up one right, and the French another, where was the dishonour to either, or to us? What we advised then, in one word, was not at all the submission to a wrong, but the compromise of two obnoxious rights.

It is said on the other side, that ministers shape their defence unfairly in alleging that their only choice was, either to do as they have done, or to declare open war. Between those two extreme and polar points, says the hon. member for Knaresborough, there were many intermediate rests on which government might have made a stand. So says that hon. member; and the hon. member for Taunton comes to his aid, by specifying more particularly what was that precise, intermediate line, which it behoved the government to take. They might have tried, he says, to do something on that principle of mutual concession, on which they must have been so much in the habit of acting throughout the large continental arrangements of the last few years. Why, Sir, that is the very thing which ministers did try, and have been blamed for trying; concession from Spain, and retractation by France. But it was more easily tried than effected. In the former arrangements—arrangements of territory or of property—claims might be balanced against claims; but here, there were no mutual claims to be adjusted; and the language we must have held to France would needs have been, not, "If you don't yield this, I won't yield that;" but, "If you do not yield this, I will go to war with you" [Hear.]. The hon. gentlemen opposite may put it as they will, but to this at last the argument must come [Hear, hear!]. Well, they say, be it so: it was the best chance for the prosperity of Europe; if it succeeded, all was well; it was only on its failure, that you would have been obliged to go to war. But, Sir, you are not always in a condition to take even the best chance. The odds may be nine to one in your favour, and yet, should the tenth chance be one which, however unlikely to happen, yet, if it do happen, you feel that you would not be justified to abide, you must, in prudence and in conscience decline that seducing hazard. But were the odds so much in your favour for overawing France? Is it true, that rather than go to war with England, France would have come to terms with Spain? In that speculation I am altogether unable to concur. Even if a war with England were not, as it is, a proposal always popular with the French, I think that man much miscalculates the character both of their government and of their people, who supposes them persons very easy to be overawed; for whatever may be the merits of their government, discretion seems hardly to be of the number; and whatever be the failings of their people, timidity, at any rate, is not in the catalogue.

Gentlemen seem very much disposed to stop at this stage of the argument, and leave the question upon the chance. But that is very imperfect reasoning. No argument about past conduct can rest ultimately upon the estimate of a chance, without including an estimate of both the alternatives whereof that chance was composed. There is a point in your road at which the paths branch off; and when you reach that point, you must needs, in order to accomplish your journey, chuse one of those diverging paths. Now, suppose I am right in my opinion that France was not to be overawed by loose and general phrases; what were you then to say? Why you answer, that the truest policy, the policy you yourselves would have pursued, was, to avoid indeed an immediate, unconditional rupture, but yet to make a resolute stand by declaring, that you would go to war if Spain were invaded; and this with no fraudulent reserve, but with a *bonâ fide* resolve on your part to keep your word, and go to war accordingly, if that should happen, doubtless, because you were sincerely convinced, that, upon the happening of that event, your war would be justified and required. That event has happened, Spain is invaded—now, why has not your address proposed the war? Your war would be quite in time yet, to serve the Spaniards: and as to its justice, that justice is certainly not less demonstrable at this hour, than it was when the ministers of England declined it, at Paris, at Madrid, or at Verona; besides which, your proposal, now, would have this further advantage (from the very caution of your ministers), that instead of your having to decide, as they must have decided, on all the future contingencies, you would have the benefit of the actual results to guide your judgment. But, with all these assistances, and all these complaints against those who did not threaten war, no war does your own address propose: and why not? Because you feel, that the policy which you were so ready to recommend in the hazard, is one that you yourselves are not willing to abide in the event—because you know that nine-tenths of all the nation will be against you—because you are conscious that if you were called on but to write down on a paper to be read as your motion from the chair, your specific cause, sanction, or excuse for war, you would have no one tangible, substantial justification to assign; and because you expect that the comparatively vague and comprehensive phraseology of this address is more likely than any straight and intelligible proposition would be, to unite all the out-lying votes against the government which you seek to shake.

But you say, it is not fair to demand that you should abide by the unfavourable alternative of the proposed chance, without having had the trial of the chance itself. I have endeavoured to show that your chance was worth nothing; that France was in that state of predisposing madness, by which heaven is said to prepare those whom it designs to cast away; [hear!] but, at all events, if you did not calculate that war must come, you were bound to calculate that it might come; and, if it should, on what ground were you prepared to incur it? That is, I now ask you, not whether you will enter into a war, the negotiations having terminated without the trial of your experiment—for to that way of putting the question you have a right to object—but on what grounds were you prepared to risk it, while the negotiations were yet undetermined and while this alternative, therefore, formed yet a necessary part of your calculation?—On the ground, you say, that it would then have been a war, not for Spain only, but for our own honour. Sir, I agree with my hon. friend who moved this address, as to the high estimation in which the national honour ought ever to be held; and that very feeling of respect for it, does the more confirm me in the conviction that we ought not too lightly to borrow its name as a pretext for quarrels with which it can have no concern. On this head, the principal argument of the supporters of the address resolves itself into the plain charge, that Britain has disgracefully abandoned the righteous cause. It is that abandonment of the righteous cause, which is said to have tarnished our national honour. But does not this argument, or rather assertion, go a little too far? For since, in every cause, there is a right and a wrong, it is clear that if we are always to vindicate the right, I will not say at the price, but even at the risk of engaging ourselves in hostilities—for, in your word remonstrance let it always be remembered that the risk of war is necessarily involved—there can never be a war in any quarter of Christendom, wherein we shall not be bound to take a part. The reasoning is strange; and it seems stranger still, when we consider from what quarter it comes; when we remember, that those who are cheering their government forward to hazard a war for the liberties of Spain, are the same set of statesmen who opposed that government throughout a war for the liberties of Europe. Is it that they deem the independence of Europe at large an object less important than the liberties of individual Spain? Or can it be their opinion, that liberty itself is then only desirable, when fought for by subjects against their king and not when fought for by kingdoms against their oppressor? [Hear, hear.] There is somewhat extraordinary, too, in the lofty and flattering attributes with which they have suddenly invested this country. They have begun to speak of her, as if, instead of being one among several important states, she were the only state at all important; the absolute, recognised dictatress of Europe, entitled to consider her own dignity and supremacy and the peace of her dominion invaded or insulted by every brawl among the surrounding states. It seemed reasonable, no doubt, to expect, that men of their endowments would, after a while, discover and recant the mistake which they had committed when, through twenty years of war, and seven of succeeding peace, they proclaimed, that the exertions of Great Britain had done nothing for her fame, her prosperity, or her power; but I could never have expected that, with all their candour, they would, in this sudden haste, have become so dazzled with the splendor of their country's achievements, so giddy with the height to which her energies have raised them, as to abandon their entire understandings to the intoxicating delusion, that her exploits have promoted her to a station, not merely of respect and glory, but of absolute unqualified command! To satisfy them, her will must be given out as law. I admire their spirit, but their practical wisdom I doubt; not only because I am persuaded that England would be physically incompetent to enforce such an assumption, but because such an assumption, even if she could enforce it, would be inconsistent with that free agency of other states, which England, of all nations in the world, would be the least excusable to encroach upon; although, like every other free agency, it does of necessity imply a power in its possessor to do evil as well as to do good. I apprehend, therefore, that menaces would have been doubly improper; first, because England could hardly have enforced them, and secondly, because, if she could, she ought not.

Some, however, there are, of a heroical disposition, who seem to look at the question of honour less as a matter of state than as an affair of chivalry. Those are the reasoners who would have had you alter your laws, to let private knight-errantry loose, and unite all your wandering spirits in a new crusade for freedom. Thus the noble member for Salisbury (lord Folkestone) put his argument the other night mainly upon the ground of gallantry; as if it behoved us to take a haughty tone, not merely lest the freedom of Spain should be endangered, but lest the courage of England might be questioned. Sir, I trust that the character of this country for courage does not stand so low, as to require that its minister should talk big, for the establishment of its credit. I assure the noble lord, I should disdain, as cordially as he can, the imputation of any apprehension from France. I know of only one sort of policy we might have pursued, which could possibly have subjected us to such a misconstruction, and I will tell the noble lord what that discreditable policy would have been. It would have been the adoption, or the permission, of half-angry measures; of a course that should have had the effect of a partial and hesitating hostility; a hostility in practice and in profit, in act and in advantage, in every thing, except the avowal and the danger—a neutrality always in its name, and in its safety. From such a policy it might have been inferred, that Great Britain was indeed afraid, that, abounding in the inclination to quarrel, she was deficient in nothing but the courage.

But see what a double-faced argument we have to deal with! The hon. baronet, (sir F. Burdett) catching the tone of the noble lord, exclaims, "that our timidity is more especially disgraceful, as being the paltry apprehension of a miserable war with an enemy so contemptible as the Bourbons." And yet the other half of the hon. baronet's speech, and almost half the speech of my hon. and learned friend the member for Knaresborough, (sir J. Mackintosh) turn upon the danger to England and to Europe, from the probability that these very Bourbons, the enormous injustice of whose proceeding is equalled only by its monstrous imbecility, [cheers from the Opposition] will presently overbear all the strength of the peninsula, and become terrible to England as the masters of Portugal and Spain. Thus it is, that, having failed to make out any case upon our own national honour—and the treaty with Portugal being not yet in question, since we know not yet whether the circumstances will ever occur on which alone the obligations of that treaty would arise—you turn to the self-defensive topics, and ply us with the danger we are likely to incur, from the tutelary influence of St. Louis, and signally, from the sword of the duke of Angoulême. You have not had the patience to wait till that formidable blade, the Escalibar of modern chivalry, be actually drawn from its embroidered sheath; the mere glitter of whose hilt has made you wink your eyes, and start with apprehensions for your liberty and land. Why, Sir, when a hundred years ago, the Bourbon was enraged at the panic with which his people were shrinking from the nick-name of Malbrook, the Louis of that day could hardly have hoped that from his family a prince was destined to arise, who should thus revenge the dishonourable terrors of the French, and without the striking of a single blow, by the mere flourish of his sword knot, should throw dismay into the ranks of the English whigs, and rouse the alarms of those unblenching politicians, who could gaze with indifference, if not with complacence, upon the devouring career of Buonaparte! [Laughter and cheers: coughing from the Opposition.]

But then you say, it is not from France that the principal danger is to be apprehended; your fear is of the other allies, who may march to her assistance, and disorder the balance of power. Before we assert the expediency of risking hostilities in counteraction of those movements, it may be as well to ascertain, first, whether the allies mean to march at all; and secondly, if they do, in what cause they mean to march. Even now, after the lapse of many months since the negotiations, uninformed as we are still, what plan could we chuse, or what measure could we execute? No judgment could be formed beyond a guess—not a shot could be fired but at random—we have not only no means of knowing that the allies have determined to take part against Spain; we have not even data to judge whether they have determined to take any part at all. But indeed, if any credit belong to your allegations as to the injustice and artifice of all those great European powers, there is only so much the stronger reason for us to be cautious and backward in committing this country; lest perchance, when we have toiled and half exhausted our strength, by precipitately intruding into a quarrel that was none of ours, the force of the suspected potentates that have been so long in wait, should come at the eleventh hour, fresh and unbreathed into the field, and furnish us a quarrel that should really be our own. I beg to be understood as saying these things, not in any anticipation I myself entertain of any such treachery on the part of our allies; but merely for the sake of shewing to those who delight in the application of opprobrious terms to all kings and ministers, that the more just should happen to be their ill opinion of foreign governments, and the more suspicious the politics of those foreign governments may appear, so much the more prejudicial and perilous would be the course, which they are so vehemently inculcating upon our own.—Nay more, Sir; any hostile interference which we might have hazarded, would not only have enfeebled us in our means of meeting any ultimate danger to ourselves, but might probably have brought on, at once, that very evil of general war which all parties profess their anxiety to avoid. For, if the warfare of Spain on one side and of France on the other, had been treated by England sufficiently dangerous to the balance of power, to require, upon defensive principles, that she should interpose her arms, how plausible an argument for marching straightway to vindicate that balance, would the allies have possessed—and not improbably embraced—when, beside the disturbances between France and Spain, the relations and proportions of Europe were further affected, by the intervention of so formidable a belligerent as Great Britain?—Sir, there are others of the arguments advanced from the opposite side of the House, which I rose with the intention of making some attempt to answer; but the growing impatience of the House, so natural on the third night of the same debate, warns me to abstain from any further trespass on their indulgence [Hear, hear!].

Sir *Francis Blake* said, that when liberty was at stake, neutrality was not at all congenial to the generous feelings of the British nation. When the Spaniards were engaged in the glorious cause of liberty, it was natural that they should apply to England for assistance; and if we talked of neutrality, she might be apt to think of the old saying—"Those who are not with us are against us." But Spain ought to make a distinction between the government, and the people, of this country. The hearts of the people of Great Britain were with the brave Spaniards; but their ardent feelings were damped by the icy particles of the administration. If he were a Spaniard, he would say that ministers, by their policy, were silently—he would not say intentionally—upholding that most odious, detestable, and abominable league which was impiously called the holy alliance—an association of despots against the liberties of mankind. Those would be his sentiments if he were a Spaniard; and such were his feelings as an Englishman. And now, in answer to some of the speeches which had been addressed to the House, he would reverse the case as it at present stood between France and Spain. He would suppose that Spain, in the plenitude of her power, had threatened to invade France, on the ground that her charter had been infringed—that was certainly as good a ground for invasion as the one which had been advanced by France against Spain. What, under such circumstances, would have been the conduct of the British government? Would it, in that case, have maintained the quiet and calm position which it now exhibited, whilst France was invading Spain? He thought it would not. It would then, perhaps, have assumed a tone becoming the rank and dignity of Great Britain in support of her ally. The chancellor of the exchequer had said, that he was at a loss to know what stronger language the government could have employed during the late negotiations. He (sir F. Blake) thought he could tell what would have been the language of the right hon. secretary, in the case which he had supposed. He would have said to Spain, "As soon as your standard is planted on the soil of France, we will make common cause with the French to repel the invaders: proceed in your enterprise, if you dare." Why had not such language been used during the late negotiations? The fact was, that his majesty's government had been lulled into a false security by the persuasive finesse of the French negotiators; they had been induced to forget that the Bourbons had ever been ambitious. He would suppose another case. If Spain, by good fortune, should repel her enemy and invade France, he believed, in that case, we should remonstrate against such conduct on the part of Spain, and call on the Spaniards to retire, as the condition of our remaining neutral. Spain, in such a case, would perhaps contend, that she did no more than France had previously done; but our government would retort on her, that there was a wide difference between what France might do against Spain, and what Spain might do against France. So much had been said about our system of neutrality, that it was difficult to know what it really was. He would attempt a definition. It was neither one thing nor another. It appeared very evident that our neutrality would resolve itself into war at last. If war was inevitable, the sooner we commenced it, the greater would be the chance of our bringing it to a successful issue. Neutrality, however, was the order of the day. So great was the rage for neutrality, that he should not be at all surprised to hear at the first public dinner to which ministers might be invited, this toast given—"Neutrality, strict neutrality, nothing but neutrality." Perhaps they would soon see in the newspapers, among the newest fashions, "neutral bonnet" mentioned—the shape furnished by the right hon. secretary for foreign affairs. [Continued laughter.] But he could assure the right hon. gentleman that the neutral bonnet would not take. Neutrality was no favourite with the ladies. [A laugh.] If the right hon. secretary were asked what he had been doing with his system of neutrality during the late negotiations, he might reply, in the words of the poet, "I've been doing just nothing all day."

Lord *Folkestone* apologized for addressing the House after having on a recent occasion occupied so much of their time. He did not know whether any apology was required from him by the House, for the manner in which he had then delivered his sentiments. It occurred to him that it was scarcely possible that the right hon. secretary opposite, notwithstanding the well-known turn for sarcasm which distinguished him, could have treated him (lord F.) in the manner in which he had done, unless there had been something unbecoming in the language which he had used. If that were the case, he was ready to make the necessary apology to the House. He was, undoubtedly angry upon that occasion. He had attempted to express the shame and indignation which he felt upon the perusal of the papers which had been presented to the House, and the scorn and contempt which he entertained for the British negotiators who could put their names to those papers. [Cheers.] If he had vented his feelings in language not so measured as he ought to have used, he hoped the House of Commons was not yet so far sunk in degradation, as to visit him with its anger on that account. He might be allowed to urge in extenuation of his fault—if he had committed any—that not four and twenty hours after he had undergone the censure of the right hon. secretary, that right hon. secretary had himself shown that he could feel indignation at what passed within the walls of that House. But he begged the House would do him the justice to make this distinction between him and the right hon. secretary; namely, that his indignation was excited by his zeal in behalf of the character of the country, whilst that of the right hon. secretary was roused by his anxiety for his own. Having alluded to what had passed on a former night, he could not help saying that he had, for three evenings past, been sitting in that House, expecting every moment that the right hon. secretary would, with eagerness, fulfil the promise which he had made on that previous occasion. The right hon. secretary had then told the House, that it was impossible for those members who heard him, but who had not heard his (lord F.'s) address, to conceive the restraint which he imposed upon himself by abstaining from giving the argument which had been used the answer which it merited. The right hon. secretary had complained of his having acted unfairly in having delivered a speech to the House which he was, by some tie, prevented from answering; and had said, that a proper time would come for the discussion of the topics which had then been touched upon. He was, therefore, much astonished to perceive, that during this and the two preceding nights, the right hon. secretary had been able to curb his impatience and to repress his zeal, which he had been so little able to do before. The right hon. secretary had formerly said, that it could not be expected that he was prepared to answer the arguments which might be founded upon the papers in the possession of the House. Why had he not prepared himself during the three nights which the present discussion had lasted? If rumour spoke true, the right hon. gentleman was anxious to abstain from addressing the House, until his hon. and learned friend below him (Mr. Brougham) had delivered his sentiments upon the question. [Loud cries of "Hear," from the Opposition. Mr. Canning shook his head.] If the right hon. gentleman denied it, of course the rumour was unfounded; but he was bound to declare, that circumstances did certainly appear to justify such a supposition. He hoped, for the character of the House, that the rumour was not true; for it would indeed be unworthy of its character, that for such a reason, the person who, from his situation, was best able to explain the whole of the negotiations in which government had been engaged, and the policy which had dictated the different notes and memorandums contained in the papers before the House, should withhold that necessary information. The right hon. secretary had complained that he (lord F.) had accused him of truckling to France. But, what answer had the right hon. gentleman made to that charge? Why, he had said that however he might have truckled to France, he never would truckle to him (lord F.). He had never expected that the right hon. gentleman would do so. If there were any person in that House who thought it possible that the right hon. gentleman would truckle to any body—[A cry of "Order, order!"] If the hon. member who called out order, thought there was any thing disorderly in what he was saying, let him rise and state it to the House.

Mr. *Martin*, of Galway, said, he had not meant to rise to order; but, after being called upon, he did not hesitate to say, that it was disorderly in the noble lord to entertain the House for half an hour, on the subject of another debate. If he had any charge to prefer against the right hon. secretary, let him bring it forward in a parliamentary way. He had thought his remarks impertinent to the present debate, and had therefore called the noble lord to order.

Lord *Folkestone* proceeded. He said, he believed the hon. member was correct in his opinion; but the strict rule of order had often been departed from. Much latitude was allowed to members, and particularly on late occasions. If the rule was to be enforced against him, he hoped it would also be enforced against others. He could not participate in the satisfaction which had been expressed by the hon. member for Westminster and others, at the tone which had prevailed in that House during the course of the present debate with respect to the conduct of France. It appeared to him to be unbecoming the character of a British House of Commons, that its sentiments should be expressed in words alone, *vox et præterea nihil*, and that any document which might convey its opinions to the whole world should be cautiously kept out of sight. The general mass of the papers upon the table had been so minutely canvassed, that it would be wasting the time of the House to travel through them. There was one document, however, which he thought had not been properly described—he meant the memorandum which the duke of Wellington had sent to Madrid for lord Fitzroy Somerset. That note had been described on the other side of the House, as being most worthy of the connexion which existed between the duke of Wellington and the Spanish nation. To him it appeared to be directly the reverse—to him it appeared to deserve the strongest reprobation that could be bestowed upon it. It appeared to him to be no less than an absolute betrayal of the Spanish government into the hands of king Ferdinand. It was a sufficient answer to the proposition of the noble duke, that it was impossible the persons to whom it was addressed could accede to it without a violation of their oaths. It was rather extraordinary that members of that House should eulogize a man who had attempted to persuade others to commit a breach of their most solemn engagements. But, the case against the noble duke went farther than that. There were two parties to the Spanish constitution. The cortes had offered the constitution to the king, and by him it had been accepted. The duke of Wellington called on one of the parties to put an end to the contract. The consequence of which would have been to place Ferdinand, *de jure*, in the absolute and despotic power which he formerly possessed. If the duke of Wellington's proposition had been acceded to, the cortes would absolutely have been betrayed into the hands of the king.

What he most complained of was, that throughout the whole of the negotiations, the interests of England and her allies were never spoken of. England appeared as if she were an indifferent spectator of the scenes which were passing on the continent. The same spirit pervaded the amendment which had been proposed. It declared, that the House "rejoiced that his majesty had not become party to a war, in which neither honour, nor treaty, nor the welfare of his majesty's dominions, required his majesty to engage," and it assured his majesty, that the House would "at all times be ready to afford his majesty its most zealous and affectionate support, in any measures which his majesty may find necessary to fulfil the obligations of national faith." Why, what less could have been said? But, it had been contended—and he thought the argument was most unfairly urged—that we should adopt the negotiations which were before the House, or be prepared to risk a war. He was not an advocate for war; nor could he admit that it was the alternative of any other mode of negotiation. The principal cause why he disapproved of the papers on the table was, that they tended to involve the country in a war, the danger of which would have been avoided, had our interference been urged in a more firm, manly, and decided manner. It was absurd to assert, that there was no medium between these negotiations and a declaration of war. The conduct of the power which was most anxious for the war showed the light in which the conduct of England was viewed, and the effect which a more firm tone on her part would in all probability have produced; for, no sooner was it known that this country had decided on being passive in the business, than France began to redouble her preparations for hostilities. The negotiations now before the House were in their nature likely, at some future period, to involve this country in serious difficulties. Whether we might go to war or not, he would not say, for there was a something which weighed down the exertions of the country, and we should never be able to go to war with effect until that load was removed. Unfortunately, the tone of the country had been greatly lowered. It seemed as if it had lost its spirits. And this feeling was increased, if indeed not created, by the zealous manner in which war had been deprecated in that House. He repeated, that he was no advocate for war; but he thought the tone of objection which had been taken to it, by some members of his majesty's government, was wholly unbecoming them. It was unbecoming a British statesman to be afraid of war, and to declare that fear, in the way in which he had heard it in the course of these discussions. He very much feared the country was now descending to the state of shame and degradation, which by degrees, would induce her to put up with any thing rather than go to war. It was not many years ago, when, at the peace of Amiens, he had heard an eloquent declaration in that House of the reasons why this country should go to war. It was said, that we should go to war—not for Malta, but Egypt—not for Egypt, but India—not for India, but for the existence of Great Britain herself; and not only for that, but for her good faith and the cause of freedom over the world. Here the good faith of the country and the cause of freedom were put at the top of the climax by the learned gentleman to whom he alluded; but now, the case was quite altered, and we were either afraid or unwilling to go to war for the good faith of the country, the cause of freedom, or for any other consideration. He knew not whether such feelings would continue. If much longer indulged in, they would grow upon us every day, until it would depend upon a calculation of the receipts of the customs, whether we should go to war to defend our good faith and our freedom. These feelings, he feared, would grow upon us, like avarice; and at length deprive us of that energy of character, for which we had heretofore been distinguished amongst nations.

Looking to the manner in which the negotiations had terminated—looking at their utter failure—he could see nothing in the prospect of the future, but the most disastrous consequences to the country. Suppose France were to get the ascendant in Spain, and that she demanded Gibraltar from us—would the House go to war for Gibraltar? He knew very well that France at first would make no such important demand. Her statesmen were too well skilled in diplomatic intrigue, to make any demand at first which would be calculated to rouse our feelings. They would begin with a demand of something of minor importance—something for which we should not be willing to fight—and then proceed by degrees, until they had involved the country in degradation and misery.—The noble lord then observed, that he had expected a different course when he found that the right hon. gentleman (Mr. Canning) had taken the lead in the councils of his majesty. He did not mean by this to say that he approved of the right hon. gentleman's general line of politics; he thought he had great political sins to answer for; but, from what he knew of the right hon. gentleman, he thought he would have been one of the last men to consent to lower the character of the country. He did, however, still cherish a hope that the right hon. gentleman would do something to retrieve the evil that had already befallen us—that he would find means to retrace his steps. The right hon. gentleman had now attained to what might, perhaps, he said to be the height of his ambition. By his talents and his eloquence—which all admitted and all admired—he had raised himself to the head, at least second to one only (if indeed he was not equal) in the councils of his sovereign. His power in that House was almost unbounded. But he believed the ambition of the right hon. gentleman went further. He believed that he aimed at a still greater prize. He thought—at least he wished to think—that the right hon. gentleman was anxious to be handed down to posterity as one of the worthies of his country—as one who was not less distinguished by pre-eminence in her councils, than by his zeal for her interests. If the right hon. secretary entertained that wish, he must not expect to obtain it by carrying on such negotiations as those in which he had lately figured. He must exert himself, and that with energy, to remedy evils already existing. The plague had begun; he must take the censer in his hand, and stand between the living and the dead. The plague had begun, the enemy was already in the field. If the right hon. gentleman did not bestir himself, and that soon, against that enemy, his name would be handed down, not with glory, but as one who had sunk his country in degradation, in misery, and in shame. [Hear, hear, and loud cries of question, question.]

Mr. *Littleton* rose, but was for some moments utterly inaudible. As soon as order was restored, the hon. gentleman observed in reference to the calls of the noble lord upon his right hon. friend that no just complaint could be made against his right hon. friend, for not having addressed the House at an earlier period. He believed every member of his majesty's government in that House had spoken upon it except his right hon. friend, and nothing could be more natural than that his right hon. friend, whose more peculiar office it was to explain the whole of the negotiations, should have waited until he had heard all the objections which might be made to them. He (Mr. L.) might, in his turn, express his surprise, that the House had not, before the present hour, heard the sentiments of the hon. and learned gentleman (Mr. Brougham) upon the question before the House. He must suppose the hon. and learned gentleman was waiting to hear the statement of his right hon. friend; for, he believed the hon. and learned gentleman had too much honour and too much spirit, to take advantage of replying to his right hon. friend's statement, when he was aware that his right hon. friend would have no opportunity of again addressing the House in reply to him.—With respect to the question which was mainly involved in the one before the House; namely, the interference in the internal government of Spain, he could assure the House there was not a member in it, whose mind was more strongly impressed with the propriety of directing all the moral feeling of this country and of Europe against the principles which had been promulgated by the Holy Alliance. But, he did not think that his detestation of those principles called upon him to advocate the going to war with France in support of Spain. The arguments for a war on this occasion came, he thought, rather strangely from those who had, in many former instances, deprecated a war on the part of this country, for the subversion of revolutionary principles. The same honourable members who had been so loud in their condemnation of Mr. Pitt's conduct, in supporting the late war, were now equally loud in urging the country into hostilities.—The hon. member then went on to contend that the conduct of his majesty's ministers in the late negotiations had been most wise, in not allowing their judgment of the impolicy of a war to be biassed by their feelings of objection to the principles advanced by some of the allied powers. His own opinion was—and it was founded upon a considerable knowledge of the facts of which he spoke—that if the whole population of the country, could be polled the sentiments of the great majority would be found to be opposed to a war on the part of this country at the present moment. The landed proprietors, who had, on all occasions, been foremost in giving their support to the defence of the country, were not, and could not be, desirous of a war, of which they saw neither the object nor the probable termination. Our manufacturers certainly wished for peace, and our merchants had the same feeling. They concurred with the merchants and manufacturers of France in deprecating a war, which must, in its consequences, be so prejudicial to their best interests. Our commerce and manufactures were now in a flourishing condition; and it must be supposed, that all concerned in them would be unwilling to risk them in a quarrel which was not essentially our own.—The hon. gentleman then proceeded to contend, that this country had not been duped by France in the late negotiations—that a menacing attitude on our part, if we really desired a peace, would have had the effect of provoking a war—that if the Spanish nation was a divided one upon the subject of its government, an interference on our part would have been unjust; but if they were united, it would be unnecessary, for that it was impossible for France to support any government of her choice in that country, against the united wish of ten millions of people, without resorting to means which she could not very long command; and that therefore the neutral course upon which this country had decided, was the wisest which she could adopt. [Several members rose to address the House, but they immediately gave way, on seeing Mr. Canning get up]

Mr. Secretary *Canning* rose and said:*

I am exceedingly sorry, Mr. Speaker, to stand in the way of any hon. gentleman who wishes to address the House on this important occasion. But, considering the length of time which the debate has already occupied,—considering the late hour to which we have now arrived on the third night of discussion,—I fear that my own strength, as well as that of the House, would be exhausted, if I were longer to delay the explanations which it is my duty to offer, of the conduct which his majesty's government have pursued, and of the principles by which they have been guided, through a course of negotiations as full of difficulty as any that have ever occupied the attention of a ministry, or the consideration of parliament.

If gratitude be the proper description of that sentiment which one feels towards the unconscious bestower of an unintended benefit, I acknowledge myself sincerely grateful to the hon. gentleman who has introduced the present motion. Although I was previously aware that the conduct of the government in the late negotiations had met with the individual concurrence of many, perhaps of a great majority, of the members of this House; although I had received intimations not to be mistaken, of the general satisfaction of the country; still, as, from the manner in which the papers have been laid before parliament, it was not the intention of the government to call for any opinion upon them, I feel grateful to the hon. gentleman who has, in so candid and manly a manner, brought them under distinct discussion; and who, I hope will become, however unwillingly, the instrument of embodying the sentiments of individuals and of the country into a vote of parliamentary approbation.

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The government stands in a singular situation with respect to these negotiations. They have maintained peace; they have avoided war. Peace or war—the one or the other—is usually the result of negotiations between independent states. But all the gentlemen on the other side, with one or two exceptions (exceptions which I mention with honour), have set out with declaring, that whatever the question before the House may be, it is not a question of peace or war. Now this does appear to me to be a most whimsical declaration; especially when I recollect, that before this debate commenced, it was known,—it was not disguised,—it was vaunted without scruple or reserve—that the dispositions of those opposed to ministers were most heroically warlike. It was not denied that they considered hostilities with France to be desirable as well as necessary. The cry "to arms!" was raised, and caps were thrown up for war, from a crowd which, if not numerous, was yet loud in their exclamations. But now, when we come to inquire whence these manifestations of feeling proceeded, two individuals only have acknowledged that they had joined in the cry; and for the caps which have been picked up it is difficult to find a wearer.

But, Sir, whatever may be contended to be the question now before the House, the question which the government had to consider, and on which they had to decide, was—peace or war?—Disguise or overshadow it how you will, that question was at the bottom of all our deliberations; and I have a right to require that the negotiations should be considered with reference to that question; and to the decision, which, be it right or wrong, we early adopted upon that question,—the decision that war was to be avoided, and peace, if possible, maintained.

How can we discuss with fairness, I might say with common sense, any transactions, unless in reference to the object which was in the view of those who carried them on? I repeat it,—whether gentlemen in this House do or do not consider the question to be one of peace or war,—the ministers could not take a single step in the late negotiations, till they had well weighed that question;—till they had determined what direction ought to be given to those negotiations, so far as that question was concerned. We determined that it was our duty, in the first instance, to endeavour to preserve peace if possible for all the world; next, to endeavour to preserve peace between the nations whose pacific relations appeared most particularly exposed to hazard; and failing in this, to preserve at all events peace for this country; but a peace consistent with the good faith, the interests, and the honour of the nation.

I am far from intending to assert that our decision in this respect is not a fit subject of examination. Undoubtedly the conduct of the government is liable to a twofold trial. First, was the object of ministers a right object? secondly, did they pursue it in a right way? The first of these questions,—whether ministers did right in aiming at the preservation of peace,—I postpone. I will return to the consideration of it hereafter. My first inquiry is as to the merits or demerits of the negotiations; and, in order to enter into that inquiry, I must set out with assuming, for the time, that peace is the object which we ought to have pursued.

With this assumption, I proceed to examine, whether the papers on the table show that the best means were employed for attaining the given object? If the object was unfit, there is an end of any discussion as to the negotiations;—they must necessarily be wrong from the beginning to the end. It is only in reference to their fitness for the end proposed, that the papers themselves can be matter worthy of discussion.

In reviewing, then, the course of these negotiations, as directed to maintain, first, the peace of Europe; secondly, the peace between France and Spain; and lastly, peace for this country,—they divide themselves naturally into three heads:—first, the negotiations at Verona; secondly, those with France; and thirdly, those with Spain. Of each of these in their order.

I say, emphatically, in their order; because there can be no greater fallacy than that which has pervaded the arguments of many hon. gentlemen, who have taken up expressions used in one stage of these negotiations, and applied them to another. An hon. baronet, for instance (sir F. Burdett), who addressed the House last night, employed,—or I should rather say adopted—a fallacy of this sort, with respect to an expression of mine in the extract of a despatch to the duke of Wellington, which stands* second in the first series of papers. It is but just to the hon. baronet to admit that his observation was adopted, not original; because, in a speech eminent for its ability, and for its fairness of reasoning (however I may disagree both with its principles and its conclusions) this, which he condescended to borrow, was in truth the only very weak and ill-reasoned part. By my despatch of the 27th of September, the duke of Wellington was instructed to declare, that "to any interference by force or menace on the part of the allies against Spain, come what may, his majesty will not be a party." Upon this the hon. baronet, borrowing, as I have said, the remark itself,—and borrowing also the air of astonishment, which, as I am informed, was assumed by the noble proprietor of the remark, in another place,—exclaimed "Come what may!" What is the meaning of this ambiguous menace, this mighty phrase, "that thunders in the index?"—"Come what may!" Surely a denunciation of war is to follow.—But no—no such thing.—Only—"Come what may—His majesty will be no party to such proceedings." Was ever such a bathos! Such a specimen of sinking in policy? "Quid dignum tanto feret hic promissor hiatu?"—

Undoubtedly, Sir, if the hon. baronet could show that this declaration was applicable to the whole course of the negotiations, or to a more advanced stage of them, there would be something in the remark, and in the inference which he wished to be drawn from it. But, before the declaration is condemned as utterly feeble and inconclusive, let us consider,—what was the question to which it was intended as an answer?—That question, Sir, was not as to what England would do in a war between France and Spain; but as to what part she would take, if, in the congress at Verona, a determination should be avowed by the allies to interfere forcibly in the affairs of Spain? What then was the meaning of the answer to that proposition,—that, "come what might, his majesty would be no party to such a project?"—Why,—plainly that his majesty would not concur in such a determination, even though a difference with his allies—even though the dissolution of the alliance—should be the consequence of his refusal. The answer, therefore, was exactly adapted to the question. This specimen of the bathos—this instance of perfection in the art of sinking, as it has been described to be, had its effect: and the congress separated without determining in favour of any joint operation of a hostile character against Spain.

Sir, it is as true in politics, as in mechanics, that the test of skill and of success is to achieve the greatest purpose with the least power. If, then, it be found that, by this little intimation, we gained the object that we sought for, where was the necessity for greater flourish or greater pomp of words?—An idle waste of effort would only have risked the loss of the object which by temperance we gained!

But where is the testimony in favour of the effect which this intimation produced?—I have it, both written and oral. My first witness is the duke Mathieu de Montmorency; who states, in his official note* of the 26th of December, that the measures conceived and proposed at Verona, "would have been completely successful, if England had thought herself at liberty to concur in them." Such was the opinion entertained by the plenipotentiary of France of the failure at Verona, and of the cause of that failure.—What was the opinion of Spain? My voucher for that opinion is the despatch from sir W. A'Court, of the 7th of January,† in which he describes the comfort and relief that were felt by the Spanish government, when they learnt that the congress at Verona had broken up with no other result, than the *bruta fulmina* of the three despatches from the courts in alliance with France. The third witness whom I produce, and not the least important, because an unwilling and most unexpected, and in this case surely a most unsuspected witness, is the hon. member for Westminster (Mr. Hobhouse),—who seems to have had particular sources of information as to what was passing at the congress. According to the ante-chamber reports which were furnished to the hon. member (and which, though not always the most authentic, were in this instance tolerably correct), it appears that there was to be no joint declaration against Spain; and it was, it seems, generally understood at Verona, that the instructions given to his majesty's plenipotentiary, by the liberal—I beg pardon—to be quite accurate I am afraid I must say, the radical—Foreign minister of England, were the cause.—Now the essence of those instructions was comprised in that little sentence, which has been so much criticized for meagreness and insufficiency.

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* See p. 905 of the present volume.

* See Papers, Class A. No. 11, p. 916.

† See Papers, Class B, No 14. p. 935.

In this case, then, the English government is impeached not for failure, but for success; and the hon. baronet, with taste not his own, has expressed himself dissatisfied with that success, only because the machinery employed to produce it did not make noise enough in its operation.

I contend, Sir, that, whatever might grow out of a separate conflict between Spain and France, (though matter for grave consideration) was less to be dreaded, than that all the great powers of the continent should have been arrayed together against Spain;—and that although the first object, in point of importance, indeed, was to keep the peace altogether,—to prevent any war against Spain,—the first, in point of time, was to prevent a general war;—to change the question from a question between the allies on one side, and Spain on the other, to a question between nation and nation. This, whatever the result might be, would reduce the quarrel to the size of ordinary events, and bring it within the scope of ordinary diplomacy. The immediate object of England therefore was to hinder the impress of a joint character from being affixed to the war—if war there must be,—with Spain;—to take care that the war should not grow out of an assumed jurisdiction of the congress;—to keep within reasonable bounds that predominating *areopagitical* spirit, which the memorandum* of the British cabinet of May 1820 describes as "beyond the sphere of the original conception, and understood principles of the alliance,"—"an alliance never intended as a union for the government of the world, or for the superintendance of the internal affairs of other states." And this, I say was accomplished.

With respect to Verona, then, what remains of accusation against the government? It has been charged, not so much that the object of the government was amiss, as that the negotiations were conducted in too low a tone. But the case was obviously one in which a high tone might have frustrated the object. I beg, then, of the House, before they proceed to adopt an address, which exhibits more of the ingenuity of philologists than of the policy of statesmen,—before they found a censure of the government for its conduct in negotiations of transcendant practical importance, upon refinements of grammatical nicety,—I beg that they will at least except from the proposed censure, the transactions at Verona; where I think I have shown that a tone of reproach and invective was unnecessary, and therefore would have been misplaced.

Among those who have made unjust and unreasonable objections to the tone of our representations at Verona, I should be grieved to include the hon. member for Bramber (Mr. Wilberforce), with whose mode of thinking I am too well acquainted, not to be aware that his observations are founded on other and higher motives than those of political controversy. My hon. friend, through a long and amiable life, has mixed in the business of the world without being stained by its contaminations: and he, in consequence, is apt to place—I will not say too high, but—higher I am afraid than the ways of the world will admit, the standard of political morality. I fear, my hon. friend is not aware how difficult it is to apply to politics, those pure, abstract principles which are indispensable to the excellence of private ethicks. Had we employed in the negotiations that serious moral strain which he might have been more inclined to approve, many of the gentlemen opposed to me, would, I doubt not, have complained, that we had taken a leaf from the book of the holy alliance itself; that we had framed in their own language a canting protest against their purposes, not in the spirit of sincere dissent, but the better to cover our connivance. My hon. friend, I admit, would not have been of the number of those who would so have accused us: but he may be assured that he would have been wholly disappointed in the practical result of our didactic reprehensions. In truth, the principle of non-interference is one, on which we were already irrecoverably at variance in opinion with the allies; — it was no longer debateable ground. On the one hand, the alliance upholds the doctrine of an European police; this country, on the other hand, as appears from the memorandum already quoted, protests against that doctrine. The question is, in fact, settled,—as many questions are,—by each party retaining its own opinions; and the points reserved for debate are points only of practical application. To such a point it was that we directed our efforts at Verona.

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* See additional Papers, Class Spain, No. 1, p. 1166.

There are those, however, who think that with a view of conciliating the continental powers, and of winning them away the more readily from their purposes, we should have addressed them as tyrants and despots, tramplers on the rights and liberties of mankind. This experiment would, to say the least of it, be a very singular one in diplomacy. It may be possible, though I think not very probable, that the allies would have borne such an address with patience;—that they would have retorted only with the "whispering humbleness" of Shylock in the play, and said—

"Fair sir, you spit on me on Wednesday last;
You spurn'd me such a day; another time
You called me—dog; and for these courtesies"

"we are ready to comply with whatever you desire." This, I say, may be possible. But I confess I would rather make such an experiment, when the issue of it was matter of more indifference. Till then, I shall be loth to employ towards our allies a language, to which if they yielded, we should ourselves despise them. I doubt whether it is wise, even in this House, to indulge in such a strain of rhetorick;—to call "wretches" and "barbarians," and a hundred other hard names, powers, with whom after all, if the map of Europe cannot be altogether cancelled, we must, even according to the admission of the most anti-continental politicians, maintain some international intercourse. I doubt whether these sallies of raillery—these flowers of Billingsgate—are calculated to soothe, any more than to adorn; whether on some occasion or other, we may not find that those on whom they are lavished have not been utterly unsusceptible of feelings of irritation and resentment.—

"——— Medio de fonte leporum
Surget amari aliquid, quod in ipsis floribus angat."

But be the language of good sense or good taste in this House what it may, clear I am, that in diplomatick correspondence, no minister would be justified in risking the friendship of foreign countries, and the peace of his own, by coarse reproach and galling invective; and that even while we are pleading for the independence of nations, it is expedient to respect the independence of those with whom we plead. We differ widely from our continental allies on one great principle, it is true: nor do we, nor ought we to disguise that difference; nor to omit any occasion of practically upholding our own opinion. But every consideration, whether of policy or of justice, combines with the recollection of the counsels which we have shared and of the deeds which we have achieved in concert and companionship, to induce us to argue our differences of opinion, however freely, with temper; and to enforce them, however firmly, without insult.

Before I quit Verona, there are other detached objections which have been urged against our connexion with the Congress, of which it may be proper to take notice. It has been asked why we sent a plenipotentiary to the congress at all?—It may perhaps be right here to observe, that it was not originally intended to send the British plenipotentiary to Verona. The congress at Verona was originally convened solely for the consideration of the affairs of Italy, with which, the House is aware England had declined to interfere two years before. England was therefore not to participate in those proceedings; and all that required her participation was to be arranged in a previous congress at Vienna. But circumstances had delayed the duke of Wellington's departure from England, so that he did not reach Vienna till many weeks after the time appointed. The sovereigns had waited to the last hour consistent with their Italian arrangements. The option was given to our plenipotentiary to meet them on their return to Vienna; but it was thought upon the whole, more convenient to avoid further delay; and the duke of Wellington therefore proceeded to Verona.

Foremost among the objects intended to be discussed at Vienna, was the impending danger of hostilities between Russia and the Porte. I have no hesitation in saying that, when I accepted the seals of office, that was the object to which the anxiety of the British government was principally directed. The negotiations at Constantinople had been carried on through the British ambassador. So completely had this business been placed in the hands of lord Strangford, that it was thought necessary to summon him to Vienna. Undoubtedly it might be presumed from facts which were of public notoriety, that the affairs of Spain could not altogether escape the notice of the assembled sovereigns and ministers; but the bulk of the instructions which had been prepared for the duke of Wellington, related to the disputes between Russia and the Porte:—and how little the British government expected that so prominent a station would be assigned to the affairs of Spain, may be inferred from the duke of Wellington's finding it necessary to write from Paris for specifick instructions on that subject.

But is is said, that Spain ought to have been invited to send a plenipotentiary to the congress. So far as Great Britain is concerned, I answer:—In the first place, as we did not wish the affairs of Spain to be brought into discussion at all, we could not take or suggest a preliminary step which would have seemed to recognise the necessity of such a discussion. In the next place, if Spain had been invited, the answer to that invitation might have produced a contrary effect to that which we aimed at producing. Spain must either have sent a plenipotentiary, or have refused to do so. The refusal would not have failed to be taken by the allies as a proof of the *durésse* of the king of Spain. The sending one, if sent (as he must have been) jointly by the king of Spain and the Cortes, would at once have raised the whole question of the legitimacy of the existing government of Spain; and would almost to a certainty have led to a joint declaration from the alliance, such as it was our special object to avoid.

But was there any thing in the general conduct of Great Britain at Verona, which lowered, as has been asserted, the character of England? Nothing like it. Our ambassador at Constantinople returned from Verona to his post, with full powers from Russia to treat on her behalf with the Turkish government; from which government, on the other hand, he enjoys as full confidence as perhaps any power ever gave to one of its own ambassadors. Such is the manifest decay of our authority,—so fallen in the eyes of all mankind is the character of this country, that two of the greatest states of the world are content to arrange their differences through a British minister, from reliance on British influence, and from confidence in British equity and British wisdom!

Such then was the issue of the congress, as to the question between Russia and the Porte; the question (I beg it to be remembered) upon which we expected to be principally if not intirely engaged at that congress, if it had been held (as was intended when the duke of Wellington left London) at Vienna.

As to Italy, I have already said, it was distinctly understood that we had resolved to take no share in the discussions. But it is almost needless to add, that the evacuation of Naples and of Piedmont, was a measure with respect to which, though the plenipotentiary of Great Britain was not entitled to give or to withhold the concurrence of his government, he could not but signify its cordial approbation.

The result of the congress as to Spain, was simply the discontinuance of diplomatick intercourse with that power, on the part of Austria, Russia, and Prussia;—a step neither necessarily nor probably leading to war; perhaps (in some views) rather diminishing the risk of it;—a step which had been taken by the same monarchies towards Portugal two years before, without leading to any ulterior consequences. The concluding expression of the duke of Wellington's last note at Verona, in which he states that all that Great Britain could do was to "endeavour to allay irritation at Madrid," describes all that in effect was necessary to be done there, after the ministers of the allied powers should be withdrawn: and the House have seen in sir W. A'Court's despatches* how scrupulously the duke of Wellington's promise was fulfilled by the representations of our minister at Madrid. They have seen too, how insignificant the result of the congress of Verona was considered at Madrid, in comparison with what had been apprehended.

The result of the congress as to France, was a promise of countenance and support from the allies in three specified hypothetical cases;—1st, of an attack made by Spain on France; 2nd, of any outrage on the person of the king or royal family of

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* See papers, Class B. Nos. 14 and 15, p. 985.

Spain; 3rdly, of any attempt to change the dynasty of that kingdom. Any unforeseen case, if any such should arise, was to be the subject of new deliberation, either between court and court, or in the conferences of their ministers at Paris.

It is unnecessary now to argue, whether the cases specified are cases which would justify interference. It is sufficient for the present argument, that no one of these cases has occurred. France is therefore not at war on a case foreseen and provided for at Verona:—and so far as I know, there has not occurred, since the congress of Verona, any new case to which the assistance of the allies can be considered as pledged; or which has, in fact, been made the subject of deliberation among the ministers of the several courts who were members of the congress.

We quitted Verona, therefore, with the satisfaction of having prevented any corporate act of force or menace, on the part of the alliance, against Spain; with the knowledge of the three cases on which alone France would be entitled to claim the support of her continental allies, in a conflict with Spain; and with the certainty that in any other case we should have to deal with France alone, in any interposition which we might offer for averting, or for terminating, hostilities.

From Verona we now come, with our plenipotentiary, to Paris.

I have admitted on a former occasion, and I am perfectly prepared to repeat the admission, that, after the dissolution of the congress of Verona, we might, if we had so pleased, have withdrawn ourselves altogether from any communication with France upon the subject of her Spanish quarrel;—that, having succeeded in preventing a joint operation against Spain, we might have rested satisfied with that success, and trusted, for the rest, to the reflections of France herself on the hazards of the project in her contemplation. Nay I will own that we did hesitate, whether we should not adopt this more selfish and cautious policy. But there were circumstances attending the return of the duke of Wellington to Paris, which directed our decision another way. In the first place, we found, on the duke of Wellington's arrival in that capital, that M. de Villèle had sent back to Verona the drafts of the despatches of the three continental allies to their ministers at Madrid, which M. de Montmorency had brought with him from the congress;—had sent them back for re-consideration;—whether with a view to obtain a change in their context, or to prevent their being forwarded to their destination at all, did not appear: but, be that as it might, the reference itself was a proof of vacillation, if not of change, in the French counsels.

In the second place, it was notorious that a change was likely to take place in the cabinet of the Tuilleries, which did in fact take place shortly afterwards, by the retirement of M. de Montmorency: and M. de Montmorency was as notoriously the adviser of war against Spain.

In the third place, it was precisely at the time of the duke of Wellington's return to Paris that we received a direct and pressing overture from the Spanish government, which placed us in the alternative of either affording our good offices to Spain, or of refusing them.

This last consideration would perhaps alone have been decisive; but when it was coupled with the others which I have stated, and with the hopes of doing good which they inspired, I think it will be conceded to me that we should have incurred a fearful responsibility, if we had not consented to make the effort, which we did make, to effect an adjustment between France and Spain, through our mediation.

Add to this—that the question which we had now to discuss with France was a totally new question. It was no longer a question as to that general right of interference, which we had disclaimed and denied—disclaimed for ourselves and denied for others—in the conferences at Verona. France knew that upon that question our opinion was formed, and was unalterable. Our mediation therefore, if accepted by France, set out with the plain and admitted implication that the discussion must turn, not on the general principle, but upon a case of exception to be made out by France, showing to our satisfaction wherein Spain had offended and aggrieved her.

It has been observed, as if it were an inconsistency, that at Verona a discouraging answer had been given by our plenipotentiary to a hint that it might, perhaps, be advisable for us to offer our mediation with Spain; but that no sooner had the duke of Wellington arrived at Paris, than he was instructed to offer that mediation. Undoubtedly this is true: and the difference is one which flows out of, and verifies, the entire course of our policy at Verona. We declined mediating between Spain and an alliance assuming to itself that character of general superintendence of the concerns of nations. But a negotiation between kingdom and kingdom, in the old, intelligible, accustomed, European form, was precisely the issue to which we were desirous of bringing the dispute between France and Spain. We eagerly grasped at this chance of preserving peace; and the more eagerly because, as I have before said, we received, at that precise moment, the application from Spain for our good offices.

But France refused our offered mediation: and it has been represented by some gentlemen, that the refusal of our mediation by France was an affront which we ought to have resented. Sir, speaking not of this particular instance only, but generally of the policy of nations, I contend, without fear of contradiction, that the refusal of a mediation is no affront; and that, after the refusal of mediation, to accept or to tender good offices is no humiliation. I beg leave to cite an authority on such points, which, I think, will not be disputed. Martens, in the Dissertation which is prefixed to his collection of Treaties, distinguishing between mediation and good offices, lays it down expressly, that a nation may accept the good offices of another after rejecting her mediation. The following is the passage to which I refer:

"Amicable negotiations may take place, either between the powers themselves between whom a dispute has arisen, or jointly with a third power. The part to be taken by the latter, for the purpose of ending the dispute, differs essentially according to one or other of two cases; whether the power, in the first place, merely interposes its good offices to bring about an agreement; or, secondly, is chosen by the two parties, to act as a mediator between them." And he adds;—"mediation differs essentially from good offices; a state may accept the latter, at the same time that it rejects mediation."*

If there were any affront indeed in this case, it was an affront received equally from both parties; for Spain also declined our mediation, after having solicited our good offices, and solicited again our good offices, after declining our mediation. Nor is the distinction, however apparently technical, so void of reason as it may at first sight appear. There did not exist between France and Spain that corporeal, that material, that external ground of dispute, on which a mediation could operate. The offence, on the side of each party, was an offence rankling in the minds of each, from a long course of irritating discussions; it was to be allayed rather by appeal to the good sense of the parties, than by reference to any tangible object. To illustrate this;—Suppose, for example, that France had in time of peace possessed herself, by a coup de main, of Minorca;—or suppose any unsettled pecuniary claims on one side or the other,—or any litigation with respect to territory;—a mediator might be called in,—in the first case to recommend restitution,—in the others to estimate the amount of claim, or to adjust the terms of compromise. There would, in either of these cases, be a tangible object for mediation. But where the difference was not external; where it arose from irritated feelings, from vague and perhaps exaggerated apprehensions, from charges not proved, nor perhaps capable of proof, on either side,—in such cases each party felt that there was nothing definite and precise which either could submit to the decision of a judge, or to the discretion of an arbitrator; though each might at the same time feel that the good offices of a third party, friendly to both, would be well employed to soothe exasperation, to suggest concession, and, without probing too deeply the merits of the dispute, to exhort to mutual forbearance and oblivion. The difference is perfectly intelligible; and in fact, on the want of a due appreciation of the nature of that difference, turns much of the objection which has been raised against our having suggested concession to Spain.

Our mediation then, as I have said, was refused by Spain as well as by France:—but before it was offered to France, our good offices had been asked by Spain. They were asked in the despatch of M. San Miguel, which has been quoted with so much praise,—a praise in which I have no indisposition to concur. I agree in admiring that paper for its candour, manliness, and simplicity. But the hon. member for Westminster has misunderstood the early part of it. He has quoted it, as if it complained of some want of kindness on the part of the British government towards Spain. The complaint was quite of another sort. It complained of want of communication from this government, of what was passing at Verona. The substance of this complaint was true; but in that want of communication there was no want of kindness. The date of M. San Miguel's despatch is the 15th of November*; the congress did not close till the 29th. It is true that I declined making any communication to Spain, of the transactions which were passing at Verona, whilst the congress was still sitting. I appeal to any man of honour, whether it would not have been ungenerous to our allies, to make such a communication, so long as we entertained the smallest hope that the result of the congress might not be hostile to Spain; and whether, considering the peculiar situation in which we were placed at that time, by the negotiation which we were carrying on at Madrid for the adjustment of our claims upon the Spanish government, such a communication would not have been liable to the suspicion that we were courting favour with Spain, at the expense of our allies, for our own separate objects? We might to be sure have said to her, "You complain of our reserve,—but you don't know how stoutly we are fighting your battles at Verona." But, Sir, I did hope that she never would have occasion to know that such battles had been fought for her. She never should have known it, if the negotiations had turned out favourably. When the result proved unfavourable, I immediately made a full disclosure of what had passed; and with that disclosure, it is unnecessary to say, the Spanish government were, so far as Great Britain was concerned, entirely satisfied. The expressions of that satisfaction are scattered through sir W. A'Court's reports of M. San Miguel's subsequent conversations; and are to be found particularly in M. San Miguel's note to sir W. A'Court,* of the 12th of January.

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* "Les negociations à l'amiable peuvent avoir lieu entre les Puissances seules entre lesquelles la dispute s'est elevée, soit avec le concours d'une tierce Puissance. La part que celle-ci peut prendre pour terminer le litige, diffère essentiellement d'après que 1° Elle interpose seulement ses bons offices pour moyenner un accommodement, ou que 2° Elle est choisi par les deux parties pour leur servir de médiateur."—Martens Droit de Gens, Tome VI. p. 328.—And he subjoins in a note—"La médiation diffère essentiellement de l'interposition de bons offices; on peut accepter ceux-ci, et rejetter la médiation."

In the subsequent part of the despatch of M. San Miguel, of the 15th of November, (which we are now considering) that minister defines the course which he wishes Great Britain to pursue; and I desire to be judged and justified in the eyes of the warmest advocate for Spain, by no other rules than those laid down in that despatch.

"The acts to which I allude," says M. San Miguel, "would in no wise compromise the most strictly-conceived system of neutrality. Good offices, counsels, the reflections of one friend in favour of another, do not place a nation in concert of attack or defence with another,—do not expose it to the enmity of the opposite party, even if they do not deserve its gratitude:—they are not (in a word) effective aid, troops, arms, subsidies which augment the force of one of the contending parties. It is of reason only that we are speaking; and it is with the pen of conciliation that a power, situated like Great Britain, might support Spain, without exposing herself to take part in a war, which she may perhaps prevent with general utility." Again—"England might act in this manner; being able, ought she so to act? and if she ought, has she acted so? In the wise, just and generous views of the government of St. James's no other answer can exist than the affirmative. Why then does she not notify to Spain what has been done, and what it is proposed to do in that mediatory sense (en aquel sentido mediador)? Are there weighty inconveniences which enjoin discretion, which show the necessity of secrecy? They do not appear to an ordinary penetration."

I have already told the House why I had not made such a notification; I have told them also that as soon as the restraint of honour was removed, I did make it; and that the Spanish government was perfectly satisfied with it. And with respect to the part which I have just quoted of the despatch of M. San Miguel,—that in which he solicits our good offices, and points out the mode in which they are to be applied,—I am sure the House will see that we scrupulously followed *his* suggestions.

Most true it is, and lamentable as true, that our representations to France were not successful. The hon. member for Westminster attributes our failure to the intrigues of Russia; and has told us of a bet made by the Russian ambassador in a Coffee-house at Paris, that he would force France into a war with Spain.

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* See Papers, Class A. No. 7. p. 912.

* See Papers, Class B. Inclosure in No. 16, p. 938.

Mr. *Hobhouse* said, he disclaimed this version of his words. He had put it as a conjecture.

Mr. *Canning*.—I assure the hon. gentleman that I understood him to state it as a fact; but if it was only conjecture, it is of a piece with the whole of the address which he supports;—every paragraph of which teems with guesses and suppositions equally groundless.

The hon. member for Bridgenorth (Mr. Whitmore) has given a more correct opinion of the cause of the war. I believe, with him that the war was forced on the French government by the violence of a political party in France. I believe that at one time the French government hoped to avert it; and that up to the latest period, some members of that cabinet would gladly have availed themselves of the smallest loop-hole through which the Spanish government would have enabled them to find their retreat. But we, forsooth, are condemned as dupes, because our opponents gratuitously ascribe to France one settled, systematick and invariable line of policy;—because it is assumed that from the beginning France had but one purpose in view; and that she merely amused the British cabinet from time to time with pretences, which we ought to have had the sagacity to detect. If so, the French government had made singular sacrifices to appearance. M. de Montmorency was sent to Verona; he negotiated with the Allies; he brought home a result so satisfactory to France, that he was made a duke for his services. He had enjoyed his new title but a few days when he quitted his office. On this occasion I admit that I was a dupe,—I believe all the world were dupes with me,—for all understood this change of ministers to be indicative of a change in the counsels of the French cabinet,—a change from war to peace. For eight and forty hours I certainly was under that delusion; but I soon found that it was only a change, not of the question of war, but of the character of that question: a change as it was somewhat quaintly termed—from *European* to *French*. The duke M. de Montmorency, finding himself unable to carry into effect the system of policy which he had engaged, at the congress, to support in the cabinet at Paris, in order to testify the sincerity of his engagement, promptly and most honourably resigned. But this event, honourable as it is to the duke M. de Montmorency, completely disproves the charge of dupery brought against us. That man is not a dupe, who, not foreseeing the vacillations of others, is not prepared to meet them; but he who is misled by false pretences put forward for the purpose of misleading him. Before a man can be said to be duped, there must have been some settled purpose concealed from him, and not discovered by him; but here there was a variation of purpose, a variation too, which, so far from considering it then, or now, as an evil, we then hailed and still consider as a good. It was no dupery on our part to acquiesce in a change of counsel on the part of the French cabinet, which proved the result of the congress at Verona to be such as I have described it,—by giving to the quarrel with Spain the character of a *French* quarrel.

If gentlemen will read over the correspondence about our offer of mediation, with this key,—they will understand exactly the meaning of the difference of tone between the duke M. de Montmorency and M. de Chateaubriand: they will observe that when I first described the question respecting Spain as a *French* question, the duke de Montmorency loudly maintained it to be a question *toute Européenne*; but that M. de Chateaubriand, upon my repeating the same description in the sequel of that correspondence, admitted it to be a question at once and equally *toute Française et toute Européenne*:—an explanation the exact meaning of which I acknowledge I do not precisely understand; but which, if it does not distinctly admit the definition of a question *Française*, seems at least to negative M. de Montmorency's definition of a question TOUTE *Européenne*.

In thus unavoidably introducing the names of the French ministers, I beg I may be understood to speak of them with respect and esteem. Of M. de Montmorency I have already said, that in voluntarily relinquishing his office, he made an honourable sacrifice to the sincerity of his opinions, and to the force of obligations which he had undertaken but could not fulfil. As to M. de Chateaubriand, with whom I have the honour of a personal acquaintance, I admire his talents and his genius; I believe him to be a man of an upright mind, of untainted honour, and most capable of discharging adequately the high functions of the station which he fills. Whatever I may think of the political conduct of the French government in the present war, I think this tribute justly due to the individual character of M. de Chateaubriand. I think it further due to him in fairness, to correct a misrepresentation to which I have, however innocently, exposed him. From a despatch* of sir W. A'Court, which has been laid upon the table of the House, it appears as if M. de Chateaubriand had spoken of the failure of the mission of lord F. Somerset, as of an event which had actually happened, at a time when that nobleman had not even reached Madrid. I have recently received a corrected copy of that despatch, in which the tense employed in speaking of lord F. Somerset's mission is not past, but future; and the failure of that mission is only anticipated, not announced as having occurred. The despatch was sent *in cypher* to M. Lagarde (from whom sir W. A'Court received his copy of it); and nothing is more natural in such cases than a mistake in the inflection of a verb.

It is also just to the French minister for foreign affairs, to allude (although it is rather out of place in this argument) to another circumstance of which I yesterday received an explanation. A strong feeling has been excited in this country by the reported capture of a rich Spanish prize in the West Indies by a French ship of war. If the French captain had acted under orders, most unquestionably those orders must have been given at a time when the French government was most warm in its professions of a desire to maintain peace. If this had been the case, it might still perhaps be doubtful whether this country ought to be the first to complain. Formal declarations of war, anterior to warlike acts, have been for some time growing into disuse in Europe. The war of 1756, and the Spanish war in 1804, both, it must be admitted, commenced with premature capture and anticipated hostilities, on the part of Great Britain. But—be that as it may,—I wrote to sir C. Stuart, as soon as the intelligence reached this country, desiring him to require an explanation of the affair: the reply, as I have said, arrived yesterday, by a telegraphic communication from Paris. It runs thus—"Paris, April 28, 1823. We have not received any thing official as to the prize made by the Jean Bart. This vessel had no instructions to make any such capture. If this capture has really been made, there must have been some particular circumstances which were the cause of it. In any case, the French government will see justice done." I have thought it right to clear up this transaction; and to show the promptitude of the French government in giving the required explanation. I now return to the more immediate subject of discussion;—and pass from France to Spain.

It has been maintained that it was an insult to the Spanish government to ask them, as we did, for assurances of the safety of the royal family of Spain. Have I not already accounted for that suggestion?—I have shown that one of the causes of war, prospectively agreed upon at Verona, was any act of personal violence to the king of Spain or his family. I endeavoured, therefore, to obtain such assurances from Spain as should remove the apprehension of any such outrage,—not because the British cabinet thought those assurances necessary; but because it might be of the greatest advantage to the cause of Spain, that we should be able to proclaim our conviction, that upon this point there was nothing to apprehend: that we should thus possess the means of proving to France that she had no case, arising out of the conferences of Verona, to justify a war. Such assurances Spain might have refused—she would have refused them,—to France. To us she might—she did give them,—without lowering her dignity.

And here I cannot help referring, with some pain, to a speech delivered by an hon. and learned friend of mine last night, (sir J. Mackintosh) in which he dwelt upon this subject in a manner totally unlike himself. He pronounced a high-flown eulogy upon M. Arguelles: he envied him, he said, for many things; but he envied him most for the magnanimity which he had shown in sparing his sovereign.

Sir *J. Mackintosh* said, that he had only used the word "sparing," as sparing the *delicacy*, not the life of the king.

Mr. *Canning*.—I am glad to have occasioned this explanation: I have no doubt that my hon. and learned friend must have intended so to express himself; for I am sure that he must agree with me in thinking that nothing could be more pernicious than to familiarize the world with the contemplation of events so calamitous. I am sure that my hon. and learned friend would not be forward to anticipate for the people of Spain, an outrage so alien to their character.

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* See Papers, Class B, No. 30, p. 952.

Great Britain asked these assurances then without offence; forasmuch as she asked them,—not for herself,—not because she entertained the slightest suspicion of the supposed danger;—but because that danger constituted one of those hypothetical cases on which alone France could claim eventual support from the allies; and because she wished to be able to satisfy France that she was not likely to have such a justification.

In the same spirit and with the like purpose, the British cabinet proposed to Spain to do that, without which not only the disposition, but perhaps the power was wanting on the part of the French government, to recede from the menacing position which it had somewhat precipitately occupied.

And this brings me to the point on which the longest and fiercest battle has been fought against us—the suggestion to Spain of the expediency of modifying her constitution. As to this point, I should be perfectly contented, sir, to rest the justification of ministers upon the argument stated the night before last by a noble young friend of mine (lord F. L. Gower), in a speech which, both from what it promised and what it performed, was heard with delight by the House. If ministers, my noble friend observed, had refused to offer such suggestions; and if, being called to account for that refusal, they had rested their defence on the ground of delicacy to Spain, would they not have been taunted with something like these observations,—"What!—had you not among you,—a member of your government, sitting at the same council board,—a man whom you ought to have considered as an instrument furnished by Providence, at once to give efficacy to your advice, and to spare the delicacy of the Spanish nation? Why did you not employ the duke of Wellington for this purpose? Did you forget the services which he had rendered to Spain, or did you imagine that Spain had forgotten them? Might not any advice, however unpalatable, have been offered by such a benefactor, without liability to offence or misconstruction? Why did you neglect so happy an opportunity, and leave unemployed so fit an agent? Oh! blind to the interests of the Spanish people—Oh! insensible to the feelings of human nature!" Such an argument would have been unanswerable; and, however the intervention of Great Britain has failed, I would much rather have to defend myself against the charge of having tendered advice officiously, than against that of having stupidly neglected to employ the means which the possession of such a man as the duke of Wellington put into the hands of the government, for the salvation of a nation which he had already once rescued from destruction.

With respect to the Memorandum of the noble duke, which has been so much the subject of cavil,—it is the offspring of a manly mind, pouring out its honest opinions with an earnestness characteristic of sincerity, and with a zeal too warm to stand upon nice and scrupulous expression. I am sure that it contains nothing but what the noble duke really thought; I am sure that what he thought at the time of writing it, he would still maintain: and what he thinks and maintains regarding Spain, must, I should imagine, be received with respect and confidence by all who do not believe themselves to be better qualified to judge of Spain than he is. Whatever may be thought of the duke of Wellington's suggestions here, confident I am that there is not an individual in Spain to whom this paper was communicated, who took it as an offence; or who did not do full justice to the motives of the adviser, whatever they might think of the immediate practicability of his advice. Would to God that some part of it, at least, had been accepted!—I admit the point of honour—I respect those who have acted upon it—I do not blame the Spaniards that they refused to make any sacrifice to temporary necessity;—but still—still I lament the result of that refusal. Of this I am quite sure, that even if the Spaniards were justified in objecting to concede, it would have been a most romantic point of honour which should have induced Great Britain to abstain from recommending concession.

It is said that every thing was required of Spain, and nothing of France. I utterly deny it. I have already described the relative situation of the two countries: I will repeat, though the term has been so much criticised, that they had no external point of difference. France said to Spain, "Your revolution disquiets me;" and Spain replied to France, "Your Army of Observation disquiets me." There were but two remedies to this state of things—War, or Concession; and why was England fastidiously, and (as I think), most mistakenly, to say, "Our notions of non-interference are so strict, that we cannot advise you even for your safety: though, whatever concession you may make, may probably be met by corresponding concession on the part of France?"—Undoubtedly the withdrawing of the Army of Observation would have been, if not purely yet in a great degree, an internal measure on the part of France; and one which, though I will not assert it to be precisely equivalent with the alteration by Spain of any fault in her constitution,—yet, considering its immediate practical advantage to Spain, would not, I think, have been too dearly purchased by such an alteration. That France was called upon to make the corresponding concession appears as well from the memorandum of the duke of Wellington, as from the despatches of sir Charles Stuart, and from mine; and this concession was admitted by M. San Miguel to be the object which Spain most desired. England saw that war must be the inevitable consequence of the existing state of things between the two kingdoms; and, if something were yielded on the one side, it would undoubtedly have been for England to insist upon a countervailing sacrifice on the other.

The propriety of maintaining the Army of Observation depended wholly upon the truth of the allegations on which France justified its continuance. I do not at all mean to say that the truth of those allegations was to be taken for granted. But what I do mean to say is, that it was not the business of the British government to go into a trial and examine evidence, to ascertain the foundation of the conflicting allegations on either side. It was clear that nothing but some modification of the Spanish constitution could avert the calamity of war; and, in applying the means in our hands to that object, (an object interesting not to Spain only, but to England, and to Europe,) it was not our business to take up the cause of either party, and to state it with the zeal and with the aggravations of an advocate; but rather to endeavour to reduce the demands of each within such limits as might afford a reasonable hope of mutual conciliation.

Grant, even, that the justice was wholly on the side of Spain; still, in entreating the Spanish ministers, with a view to peace, to abate a little of their just pretensions, the British government did not go beyond the duty which the law of nations prescribes. No, Sir: it was our duty to induce Spain to relax something of her positive right, for a purpose so essential to her own interests and to those of the world. Upon this point let me fortify myself once more by reference to the acknowledged law of nations. "The duty of a 'mediator,' says Vattel,* "is to favour well-founded claims, and to effect the restoration to each party of what belongs to him; but he ought not scrupulously to insist on rigid justice. He is a conciliator, not a judge: his business is to procure peace; and he ought to induce him who has right on his side, to relax something of his pretensions, if necessary, with a view to so great a blessing."

The conduct of the British government is thus fortified by an authority, not interested, not partial, not special in its application; but universal—untinctured by favor—uninfluenced by the circumstances of any particular case, and applicable to the general concerns and dealings of mankind. Is it not plain then that we have been guilty of no violation of duty towards the weaker party? Our duty, Sir, was discharged not only without any unfriendly bias against Spain; but with tenderness, with preference, with partiality in her favour: and while I respect (as I have already said) the honourable obstinacy of the Spanish character, so deeply am I impressed with the desirableness of peace for Spain, that, should the opportunity recur, I would again, without scruple, tender the same advice to her government. The point of honour was in truth rather individual than national: but the safety put to hazard was assuredly that of the whole nation. Look at the state of Spain; and consider whether the filling up a blank in the scheme of her representative constitution with an amount, more or less high, of qualification, for the members of the cortes—whether the promising to consider hereafter of some modifications in other questionable points—was too much to be conceded—if by such a sacrifice peace could have been preserved! If we had declined to interfere on such grounds of punctilio, would not the very passage which I have now read from Vattel as our vindication, have been brought against us with justice as a charge?

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* "Le devoir d'un médiateur est bien de favoriser le bon droit, de faire rendre à chacun ce qui lui appartient; mais il ne doit point insister scrupuleusement sur une justice rigoureuse. Il est conciliateur, et non pas juge: sa vocation est de procurer la paix; et il doit porter celui qui a le droit de son côté, à relâcher quelque chose s'il est nécessaire, dans la vue d'un si grand bien."—L. II. c. 18, Sec. 328.

I regret, deeply regret, for the sake of Spain, that our efforts failed. I must fairly add that I regret it for the sake of France also. Convinced as I may be of the injustice of the course pursued by the French government, I cannot shut my eyes to its impolicy. I cannot lose sight of the gallant character and mighty resources of the French nation, of the central situation of France, and of the weight which she ought to preserve in the scale of Europe; I cannot be insensible to the dangers to which she is exposing herself; nor omit to reflect what the consequences may be to that country—what the consequences to Europe—of the hazardous enterprise in which she is now engaged; and which, for ought that human prudence can foresee, may end in a dreadful revulsion. As mere matter of abstract right, morality, perhaps, ought to be contented when injury recoils upon an aggressor. But such a revulsion as I am speaking of, would not affect France alone: it would touch the continental states at many points: it would touch even Great Britain. France could not be convulsed without communicating danger to the very extremities of Europe. With this conviction, I confess I thought any sacrifice, short of national honour or national independence, cheap, to prevent the first breach in that pacific settlement, by which the miseries and agitations of the world have been so recently composed.

I apologize, Sir, for the length of time, which I have consumed upon these points. The case is complicated; the transactions have been much misunderstood, and the opinions regarding them are various and discordant. The true understanding of the case, however, and the vindication of the conduct of government, would be matters of comparatively light importance, if censure or approbation for the past were the only result in contemplation. But considering that we are now only at the threshold, as it were, of the war, and that great events are pending in which England may hereafter be called upon to take her part, it is of the utmost importance that no doubt should rest upon the conduct and policy of this country.

One thing more there is, which I must not forget to notice with regard to the advice given to Spain. I have already mentioned the duke of Wellington as the chosen instrument of that counsel: a Spaniard by adoption, by title, and by property, he had a right to offer the suggestions which he thought fit, to the government of the country which had adopted him. But it has been complained that the British government would have induced the Spaniards to break an oath: that, according to the oath taken by the cortes, the Spanish institutions could be revised only at the expiration of eight years; and that by calling upon the cortes to revise them before that period was expired, we urged them to incur the guilt of perjury. Sir, this supposed restriction is assumed gratuitously. There are two opinions upon it in Spain. One party calculates the eight years from the time which has elapsed since the first establishment of the constitution; the other reckons only the time during which it has been in operation. The latter insist that the period has yet, at least, two years to run, because the constitution has been in force only from 1812 to 1814, and from 1820 to the present time: those who calculate from the original establishment of it in 1812, argue of course that more than the eight years are already expired, and that the period of revision is fully come. I do not pretend to decide between these two constructions: but I assert that they are both Spanish constructions. A Spaniard of no mean name and reputation—one eminently friendly to the constitution of 1812—by whose advice ministers were in this respect guided, gave it as his opinion, that not only consistently with their oath, but in exact fulfilment of it, the Spaniards might now reconsider and modify their constitution—that they might have done so nearly three years ago. "Shall I lay perjury upon my soul?" say the cortes. The answer is, "No; we do not ask you to lay perjury upon your souls; for as good a Spanish soul as is possessed by any of you declares, that you may now, in due conformity to your oaths, reconsider, and, where advisable, reform your constitution." Do we not know what constructions have been put, in this country, on the coronation oath —as to its operation on what is called the Catholic question? Will any man say that it has been my intention, or the intention of my hon. friend the member for Bramber, every time that we have supported a motion for communicating to our Roman Catholic fellow-subjects the full benefit of the constitution, to lay perjury on the soul of the sovereign?

Sir, I do not pretend to decide whether the number of legislative Chambers in Spain should be one, or two, or three. In God's name let them try what experiment in political science they will, provided we are not affected by the trial. All that Great Britain has done on this occasion has been, not to disturb the course of political experiment, but to endeavour to avert the calamity of war. Good God! when it is remembered how many evils are compressed into that little word "war"— is it possible for any man to hesitate in urging every expedient that could avert it, without sacrificing the honour of the party to which his advice was tendered? Most earnestly do I wish that the duke of Wellington had succeeded; but great is the consolation that, according to the best accounts from Spain, his counsels have not been misunderstood there, however they have been misrepresented here. I believe that I might with truth go further, and say, that there are those in Spain who now repent the rigid course pursued, and who are beginning to ask each other—why they held out so pertinaciously against suggestions at once so harmless and so reasonable? My wish was, that Spain should be saved; that she should be saved before the extremity of evil had come upon her—even by the making of those concessions which, in the heat of national pride, she refused. Under any circumstances, however, I have still another consolation—the consolation of knowing, that never from the commencement of these negotiations, has Spain been allowed by the British government to lie under the delusion that her refusal of all modifications would induce England to join her in the war. The very earliest communication made to Spain forbade her to entertain any such reliance. She was told at the beginning, as she was told in the end, that neutrality was our determined policy. From the first to the last there was never the slightest variation in this language—never a pause during which she could be for one moment in doubt as to the settled purpose of England.

France, on the contrary, was never assured of the neutrality of England, till my despatch of the 31st of March (the last of the first series of printed papers,) was communicated to the French ministry at Paris. The speech of the king of France, on the opening of the Chambers (I have no difficulty in saying), excited not only strong feelings of disapprobation by the principles which it avowed, but serious apprehensions for the future, from the designs which it appeared to disclose. I have no difficulty in saving that the speech delivered from the British throne at the commencement of the present session, did, as originally drawn, contain an avowal of our intention to preserve neutrality; but upon the arrival of the king of France's speech, the paragraph containing that avowal was withdrawn. Nay I have no difficulty in adding, that I plainly told the French Chargé d' Affaires, that such an intimation had been intended, but that it was withdrawn, in consequence of the speech of the king, his master. Was this truckling to France?

It was not, however, on account of Spain that the pledge of neutrality was withdrawn: it was withdrawn upon principles of general policy on the part of this country. It was withdrawn, because there was that in the king of France's speech, which appeared to carry the two countries (France and England) back to their position in older times, when France, as regarded the affairs of Spain, had been the successful rival of England. Under such circumstances, it behoved the English ministers to be upon their guard. We *were* upon our guard. Could we prove our caution more than by with-holding that assurance, which would at once have set France at ease? We *did* withhold that assurance. But it was one thing to withhold the declaration of neutrality, and another to vary the purpose.

Spain, then, I repeat, has never been misled by the British government. But I fear, nevertheless, that a notion was in some way or other created at Madrid, that if Spain would but hold out resolutely, the government of England would be forced by the popular voice in this country, to take part in her favour. I infer no blame against any one; but I do firmly believe that such a notion was propagated in Spain, and that it had great share in producing the peremptory refusal of any modification of the constitution of 1812. Regretting, as I do, the failure of our endeavours to adjust those disputes which now threaten so much evil to the world; I am free at least from the self-reproach of having contributed to that delusion in the mind of the Spanish government or nation, as to the eventual decision of England, which, if it existed in such a degree as to produce reliance upon our co-operation, must have added to the other calamities of her present situation, the bitterness of disappointment.—This disappointment, Sir, was from the beginning, certain, inevitable: for the mistake of those who excited the hopes of Spain was not only as to the conduct of the British government, but as to the sentiments of the British nation. No man, whatever his personal opinion or feeling may be, will pretend that the opinion of the country is not decidedly against war. No man will deny that, if ministers had plunged the country into a war for the sake of Spain, they would have come before parliament with a heavier weight of responsibility than had ever lain upon the shoulders of any government. I impute not to those who may thus have misled the Spanish ministry, the intention either of thwarting (though such was the effect) the policy of their own government, or of aggravating (though such must be the consequence) the difficulties of Spain. But for myself I declare, that even the responsibility of plunging this country into an unnecessary war, would have weighed less heavily upon my conscience, than that, which I thank God I have not incurred, of instigating Spain to the war, by exciting hopes of assistance which I had not the means of realising.

I have thus far, Sir, taken the liberty of assuming that the late negotiations were properly directed to the preservation of peace; and have argued the merits of the negotiations, on that assumption. I am aware that it is still to be established, that peace, under all the circumstances of the times, was the proper course for this country. I address myself now to that branch of the subject.

I believe I may venture to take it as universally admitted, that any question of war involves not only a question of right, not only a question of justice, but also a question of expediency. I take it to be admitted on all hands, that before any government determines to go to war, it ought to be convinced not only that it has just cause of war; but that there is something which renders war its duty; a duty compounded of two considerations—the first, what the country may owe to others; the second, what she owes to herself. I do not know whether any gentleman on the other side of the House, has thought it worth while to examine and weigh these considerations; but ministers had to weigh them well before they took their resolution. Ministers did weigh them well; wisely I hope; I am sure conscientiously and deliberately; and, if they came to the decision that peace was the policy prescribed to them, that decision was founded on a reference, 1st, to the situation of Spain; 2ndly, to the situation of France; 3rdly, to the situation of Portugal; 4thly, to the situation of the Alliance; 5thly, to the peculiar situation of England; and lastly to the general state of the world.—And first, Sir, as to Spain.

The only gentleman, by whom (as it seems to me) this part of the question has been fairly and boldly met, is the hon. member for Westminster; (Mr. Hobhouse.) who in his speech of yesterday evening—(a speech which, however extravagant, as I may perhaps think, in its tone, was perfectly intelligible and straight-forward), not only declared himself openly for war, but—aware that one of the chief sinews of war is money—did no less than offer a subsidy to assist in carrying it on. He declared that his constituents were ready to contribute all their means to invigorate the hands of government in the war; but he annexed, to be sure, the trifling condition, that the war was to be a war of people against kings. Now this, which it must be owned, was no un-important qualification of the hon. member's offer of assistance, is also one to which, I confess, I am not quite prepared to accede. I do not immediately remember any case in which such a principle of war has been professed by any government, except in the decree of the National Convention of the year 1793, which laid the foundation of the war between this country and France;—the decree which offered assistance to all nations who would shake off the tyranny of their rulers.

Even the hon. member for Westminster, therefore, is after all but conditionally in favour of war: and, even in that conditional pledge he has been supported by so few members that I cannot help suspecting that if I were to proceed on the faith of his encouragement, I should find myself left with the hon. gentleman, pretty nearly in the situation of king James with his bishops. King James, we all remember, asked bishop Neale if he might not take his subjects' money without the authority of parliament? To which bishop Neale replied "God forbid, sire, but you should; you are the breath of our nostrils." The king then turned to bishop Andrews, and repeated the same question; when bishop Andrews answered, "Sire, I think it is lawful for your majesty to take my brother Neale's money, for he offers it." Now, if I were to appeal to the House, on the hint of the hon. gentleman, I should, indeed, on his own terms, have an undoubted right to the money of the hon. gentleman, but if the question were put, for instance, to the hon. member for Surrey, (Mr. H. Sumner) — his answer would probably be, "You may take my brother of Westminster's money, as he says his constituents have authorized him to offer it; but my constituents have certainly given me no such authority."

But however single, or however conditional—the voice of the hon. member for Westminster is still for war; and he does me the honour to tempt me to take the same course, by reminding me of a passage in my political life to which I shall ever look back with pride and satisfaction. I allude to that period when the bold spirit of Spain burst forth indignant against the oppression of Buonaparte, Then unworthily filling the same office which I have the honour to hold at the present moment, I discharged the glorious duty (if a portion of glory may attach to the humble instrument of a glorious cause)---of recognizing without delay the rights of the Spanish nation, and of at once adopting that gallant people into the closest amity with England. It was indeed a stirring, a kindling occasion; and no man who has a heart in his bosom, can think even now of the noble enthusiasm, the animated exertions, the undaunted courage, the unconquerable perseverance of the Spanish nation, in a cause apparently so desperate, finally so triumphant,—without feeling his blood glow and his pulses quicken with tumultuous throbs of admiration. But I must remind the hon. gentleman of three circumstances calculated to qualify a little the feelings of enthusiasm, and to suggest lessons of caution;—I must remind him first of the state of this country,—secondly of that of Spain—at that period, as compared with the present:---and thirdly of the manner in which the enterprize in behalf of Spain was viewed by certain parties in this country. We are now at peace. In 1808, we were already at war---we were at war with Buonaparte, the invader of Spain. In 1808, we were, as now, the allies of Portugal, bound by treaty to defend her from aggression --- but Portugal was at that time not only menaced by the power of France, but over-run by it; her royal family was actually driven into exile, and their kingdom occupied by the French. Bound by treaty to protect Portugal, how natural was it under such circumstances to extend our assistance to Spain!--Again. Spain was at that time, comparatively speaking, an united nation. I do not mean to say that there were no differences of opinion; I do not mean to deny that some few among the higher classes had been corrupted by the gold of France: but still the great bulk of the people were united in one cause; their loyalty to their sovereign had survived his abdication; and though absent and a prisoner, the name of Ferdinand 7th, was the rallying point of the nation. But let the House look at the situation in which England would be placed should she, at the present moment, march her armies to the aid of Spain. As against France alone, her task might not be more difficult than before; but is it only with France that she would now have to contend? England could not strike in the cause of Spain against the invading foe alone. Fighting in Spanish ranks, should we not have to point our bayonets against Spanish bosoms?---But this is not the whole of the difference between the present moment, and the year 1808. In 1808, we had a large army prepared for foreign service; a whole war establishment ready appointed; and the simple question was, in what quarter we could best apply its force against the common enemy of England, of Spain, of Portugal---of Europe. This country had no hopes of peace: our abstinence from the Spanish war could in no way have accelerated the return of that blessing; and the Peninsula presented, plainly and obviously, the theatre of exertion in which we could contend with most advantage. Compare then, I say, that period with the present; in which none of the inducements, or incitements, which I have described as belonging to the opportunity of 1808, can be found.

But is the absence of inducement and incitement, all? Is there no positive discouragement in the recollections of that time, to check too hasty a concurrence in the warlike views of the honourable member for Westminster? When England, in 1808, under all the circumstances which I have enumerated, did not hesitate to throw upon the banks of the Tagus, and to plunge into all the difficulties of the Peninsular war, an army destined to emerge in triumph through the Pyrennees,—was that course hailed with sympathy and exultation by all parties in the state? Were there no warnings against danger? No chastisements for extravagance? No doubts—no complaints—no charges of rashness and impolicy?—I have heard of persons, Sir—persons of high authority, too—who, in the very midst of the general exaltation of spirit throughout this country, declared—that, "in order to warrant England in embarking in a military co-operation with Spain, something more was necessary than to show that the Spanish cause was just." "It was not enough," said these enlightened monitors, "it was not enough that the attack of France upon the Spanish nation was unprincipled, perfidious, and cruel—that the resistance of Spain was dictated by every principle, and sanctioned by every motive honourable to human nature—that it made every English heart burn with a holy zeal to lend its assistance against the oppressor:—there were other considerations of a less brilliant and enthusiastic, but not less necessary and commanding nature, which should have preceded the determination of putting to hazard the most valuable interests of the country. It is not with nations as with individuals. Those heroic virtues which shed a lustre upon individual man, must, in their application to the conduct of nations, be chastened by reflections of a more cautious and calculating cast. That generous magnanimity and high-minded disinterestedness, proud distinctions of national virtue (and happy were the people whom they characterize), which, when exercised at the risk of every personal interest, in the prospect of every danger, and at the sacrifice even of life itself, justly immortalize the hero, cannot and ought not to be considered justifiable motives of political action; because nations cannot afford to be chivalrous and romantic." History is philosophy teaching by example; and the words of the wise are treasured for ages that are to come.

"The age of chivalry," said Mr. Burke, "is gone; and an age of economists and calculators has succeeded!" That an age of economists and calculators is come; we have indeed every night's experience. But what would be the surprise, and at the same time the gratification, of the mighty spirit of Burke, at finding his splendid lamentation so happily disproved! at seeing that chivalrous spirit, the total extinction of which he deplored, revive, *quâ minimé reris*,—on the very benches of the economists and calculators themselves! But, in truth, Sir, it revives at a most inconvenient opportunity. It would be as ill-advised to follow a chivalrous impulse now, as it would in 1808 have been inexcusable to disobey it. Under the circumstances of 1808, I would again act as I then acted. But though inapplicable to the period to which it was applied, I confess I think the caution which I have just quoted does apply with considerable force to the present moment.

Having shown, then, that in reference to the state of Spain, war was not the course prescribed by any rational policy to England, let us next try the question in reference to France. I do not stop here to refute and disclaim again the unworthy notion, which was early put forward, but has been since silently retracted and disowned, that it might have been advisable to try the chance of what might be effected by a menace of war, unsupported by any serious design of carrying that menace into execution. Those by whom this manœuvre was originally supposed to be recommended are, I understand, anxious to clear themselves from the suspicion of having intended to countenance it; and profess indeed to wonder by whom such an idea can have been entertained. Be it so. I will not press the point invidiously: it is not necessary for my argument. I have a right, then, to take it as admitted, that we could not have threatened war, without, being thoroughly prepared for it; and that in determining to threaten, we must virtually have determined (whatever the chances of escaping that ultimate result) to go to war:—that the determinations were in fact identical.

Neither will I discuss over again that other proposition, already sufficiently exhausted in former debates, of the applicability of a purely maritime war to a struggle in aid of Spain, in the campaign by which her fate is to be decided. I will not pause to consider what consolation it would have been to the Spanish nation—what source of animation, and what encouragement to perseverance in resisting their invader—to learn, that though we could not, as in the last war, march to their aid, and mingle our banners with theirs in battle, we were, nevertheless, scouring their coasts for prizes, and securing to ourselves an indemnification for our own expenses, in the capture of Martinico.

To go to war therefore directly, unsparingly, vigorously, against France, in behalf of Spain, in the way in which alone Spain could derive any essential benefit from our co-operation—to join her with heart and hand;—or—to wrap ourselves up in a real and *bona fide* neutrality—that was the true alternative.

Some gentlemen have blamed me for a want of enthusiasm upon this occasion—some too, who formerly blamed me for an excess of that quality;—but, though I am charged with not being now sufficiently enthusiastic, I assure them that I do not contemplate the present contest with indifference. Far otherwise. I contemplate, I confess, with fearful anxiety, the peculiar character of the war in which France and Spain are engaged; and the peculiar direction which that character may possibly give to it. I was—I still am—an enthusiast for national independence; but I am not, I hope I never shall be, an enthusiast in favour of Revolution. And yet how fearfully are these two considerations intermingled, in the present contest between France and Spain! This is no war for territory, or for commercial advantages. It is unhappily a war of principle. France has invaded Spain from enmity to her new institutions. Supposing the enterprise of France not to succeed, what is there to prevent Spain from invading France, in return, from hatred of the principle upon which her invasion has been justified? Looking upon both sides with an impartial eye, I may avow that I know no equity which should bar the Spaniards from taking such a revenge. But it becomes quite another question whether I should choose to take place myself under the necessity of actively contributing to successes, which might inflict on France so terrible a retribution. —If I admit that such a retribution by the party first attacked, could scarcely be censured as unjust; still the punishment retorted upon the aggressor would be so dreadful, that nothing short of having received direct injury could justify any third power in taking part in it.

War between France and Spain (as the duke of Wellington has said), must always, to a certain degree partake of the character of a civil war; a character which palliates if it does not justify, many acts that do not belong to a regular contest between two nations. But why should England voluntarily enter into a co-operation in which she must either take part in such acts, or be constantly rebuking and coercing her allies?—If we were at war with France upon any question such as I must again take the liberty of describing by the term "external" question, we should not think ourselves—(I trust no government of this country would think itself)—justified in employing against France the arms of internal revolution.—But what, I again ask, is there to restrain Spain from such means of defensive retaliation, in a struggle begun by France avowedly from enmity to the internal institutions of Spain? And is it in such a quarrel that we would mix ourselves? If one of two contending parties poisons the well-springs of national liberty, and the other employs against its adversary the venomed weapons of political fanaticism—shall we voluntarily and unnecessarily associate ourselves with either, and become responsible for the infliction upon either, of such unusual calamities? While I reject, therefore, with disdain a suggestion, which I have somewhere heard, of the possibility of our engaging against the Spanish cause; still I do not feel myself called upon to join with Spain in hostilities of such peculiar character as those which she may possibly retaliate upon France. Not being bound to do so by any obligation expressed or implied, I cannot consent to be a party to a war, in which, if Spain should chance to be successful, the result to France, and through France to all Europe, might in the case supposed, be such as no thinking man can contemplate without dismay; and such as I (for my own part) would not assist in producing, for all the advantages which England could reap from the most successful warfare.

I now come to the third consideration which we had to weigh—the situation of Portugal. It is perfectly true, as was stated by the hon. gentleman who opened this debate, that we are bound by treaty to assist Portugal in case of her being attacked. It is perfectly true that this is an ancient and reciprocal obligation. It is perfectly true that Portugal has often been in jeopardy; and equally true that England has never failed to fly to her assistance. But much misconception has been exhibited during the last two nights, with respect to the real nature of the engagements between Portugal and this country; a misconception which has undoubtedly been, in part, created by the publication of some detached portions of diplomatic correspondence, at Lisbon. The truth is, that some time ago an application was made to this government by Portugal to "guarantee the new political institutions" of that kingdom. I do not know that it has been the practice of this country to guarantee the political institutions of another. Perhaps something of the sort may be found in the history of our connection with the United Provinces of Holland, in virtue of which we interfered in 1786 in the internal disputes of the authorities in that state. But that case was a special exception: the general rule is undoubtedly the other way. I declined therefore on the part of Great Britain, to accede to this strange application; and I endeavoured to reconcile the Portuguese government to our refusal, by showing that the demand was one which went directly to the infraction of that principle of non-interference in the internal affairs of other states, which we professed for ourselves; and which it was obviously the interest of Portugal to see respected and maintained. Our obligations had been contracted with the old Portuguese monarchy. Our treaty bound us to consult the external safety of Portugal; and not to examine, to challenge, or to champion its internal institutions. If we examined their new institutions for the sake of deriving from them new motives for fulfilling our old engagements, with what propriety could we prohibit *other* powers from examining them for the purpose of drawing any other conclusion?—It was enough to say, that such internal changes no way affected our engagements with Portugal; that we felt ourselves as much bound to defend her, under her altered constitution, as under the ancient monarchy with which our alliance had been contracted. More than this we could not say; and more than this it was not her interest to require.

And what is the obligation of this alliance? To defend Portugal, to assist her, if necessary, with all our forces, in case of an unprovoked attack upon her territory. This however, does not give to Portugal any right to call on us, if she were attacked in consequence of her voluntarily declaring war against another power. By engaging in the cause of Spain, without any direct provocation from France, she would unquestionably lose all claim upon our assistance. The rendering that assistance would then become a question of policy, not of duty. Surely, my hon. and learned friend, (sir J. Mackintosh), who has declaimed so loudly on this subject, knows as well as any man, that the course which we are bound to follow in any case affecting Portugal, is marked out in our treaties with that crown, with singular accuracy and circumspection. In case of the suspicion of any design being entertained against Portugal by another power, our first duty is to call on such power for explanation: in case of such interposition failing, we are to support Portugal by arms; first with a limited force, and afterwards with all our might. This treaty we have fulfilled to the letter, in the present instance. We long ago reminded France of our engagements with Portugal; and we have received repeated assurances that it is the determination of France rigidly to respect the independence of that kingdom. Portugal certainly did show some jealousy (as has been asserted) with respect to the congress of Verona; and she applied to this government to know whether her affairs had been brought before the congress. I was half afraid of giving offence, when I said "The name of Portugal was never mentioned." "What, not mentioned? not a word about the new institutions?" "No, not one. If mentioned at all, it was only with reference to the Slave trade." In truth, from the beginning to the close of the proceedings of the congress, not the most distant intimation was given of any unfriendly design against Portugal.

Now, before I quit the Peninsula, a single word more to the hon. member for Westminster and his constituents. Have they estimated the burthens of a Peninsular war? God forbid that, if honour, or good faith, or national interest required it, we should decline the path of duty because it is encompassed with difficulties? But at least we ought to keep some consideration of these difficulties in our minds. We have experience to teach us with something like accuracy, what are the pecuniary demands of the contest for which we must be prepared, if we enter into a war in the Peninsula. To take only two years and a half of the last Peninsular war, of which I happen to have the accounts at hand—from the beginning of 1812, to the glorious conclusion of the campaign of 1814—the expense incurred in Spain and Portugal was about 33,000,000*l.* Is that an expense to be incurred again, without some peremptory and unavoidable call of duty, of honour, or of interest?

Such a call we are at all times ready to answer, *come*—(to use the expression so much decried) *come what may.* But there is surely sufficient ground for pausing, before we acquiesce in the short and flippant deduction of a rash consequence from false premises, which has been so glibly echoed from one quarter to another, during the last four months. —"O!—we must go to war with France —for we are bound to go to war in defence of Portugal. Portugal will certainly join Spain against France; France will then attack Portugal; and then our defensive obligation comes into play." Sir, it does no such thing. If Portugal is attacked by France, or by any other power, without provocation, Great Britain is indeed bound to defend her; but if Portugal wilfully seeks the hostility of France, by joining against France in a foreign quarrel, there is no such obligation on Great Britain. The letter of treaties* is as clear, as the law of nations† is precise, upon this point; and as I believe no British statesman ever lived, so I hope none ever will live, unwise enough to bind his country by so preposterous an obligation, as that she should go to war, not merely in defence of an ally, but at the will and beck of that ally, whenever ambition or false policy, or a predominant faction may plunge that ally into wars of her own seeking and contriving.

On the other hand, would it have been advisable for us to precipitate Portugal into the war? Undoubtedly we might have done so. For by declaring war against France, on behalf of Spain, we should have invited France (and there was perhaps a party in Portugal ready enough to second the invitation), to extend her hostilities to the whole of the Peninsula. But was it an object of sound policy to bring a war upon our hands, of which it was clear that we must bear all the burthen? And was not the situation of Portugal, then, so far from being a reason for war, that it added the third motive, and one of the greatest weight, to our preference for a pacific policy?

Fourthly.—As to our Continental allies. There was surely nothing in their situation to induce Great Britain to take a part in the war. Their ministers have indeed been withdrawn from Madrid; but no alarm has been excited by that act, in Spain. No case has occurred which gives to France a right to call for the assistance of the allies. But had the British government taken a decided part in support of the Spaniards, a material change might have been produced in the aspect of affairs. Spain, who has now to contend with France alone, might in that case have had to contend with other and more overwhelming forces.—Without pushing these considerations further, enough surely has been said, to indicate the expediency of adhering to that line of policy which we successfully pursued at Verona; and of endeavouring by our example as well as by our influence, to prevent the complication and circumscribe the range of hostilities. Let it be considered, how much the duration and the disasters of a war may depend upon the multitude or the fewness of its elements; and how much the accession of any new party or parties to a war, must add to the difficulties of pacification.

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* (Extract of the treaty of defensive alliance, between Great Britain, Portugal, and the States General, signed at Lisbon, May 16th, 1703.)

"Art. II. If ever it shall happen that the kings of Spain and France, either the present or future, that both of them together, or either of them separately, shall make war, or give occasion to suspect that they intend to make war upon the kingdom of Portugal, either on the continent of Europe or in its dominions beyond seas; her majesty the queen of Great Britain, and the lords the states general, shall use their friendly offices with the said kings, or either of them, in order to persuade them to observe the terms of peace towards Portugal, and not to make war upon it."

"Art. III. But these good offices not proving successful, but altogether ineffectual, so that war should be made by the aforesaid kings, or by either of them, upon Portugal; the above mentioned powers of Great Britain and Holland shall make war, with all their force, upon the aforesaid king or kings, who shall carry hostile arms into Portugal."

† "Sed et hic distinguendum est, an Fœderatus meus injuriam patiatur, an ipse inferat; si patiatur, promissa implebo; si inferat, non implebo;"——"Cum pacta aiant '*qui bello petitur,*' eorum alia interpretatio esse nequit, quàm ei Fœderato auxilia præstitum iri, qui nullo jure lacessitur bello—*qui ab hoste petitur, non qui hostem ipse petit.*"

Bynkershoek, Lib. I, Cap. IX, p. 72.

I come next to consider the situation of this country. And first, as to our ability for the undertaking of a war. I have already said, that the country is yet rich enough in resources---in means---in strength---to engage in any contest to which national honour may call her; but I must at the same time be allowed to say, that her strength has very recently been strained to the utmost; that her means are at that precise stage of recovery, which makes it most desirable that the progress of that recovery should not be interrupted ---that her resources, now in a course of rapid reproduction, would, by any sudden check, be thrown into a disorder more deep and difficult of cure. It is in reference to this particular condition of the country, that I said on a former evening, what the hon. member for Surrey (Mr. H. Sumner.) has since done me the honour to repeat—"If we are to be driven into war, sooner or later, let it be later:"—let it be after we have had time to turn, as it were, the corner of our difficulties---after we shall have retrieved a little more effectively our exhausted resources---and have assured ourselves of means and strength not only to begin, but to keep up the conflict, if necessary, for an indefinite period of time.

For, let no man flatter himself that a war now entered upon would be a short one. Have we so soon forgotten the course and progress of the last war? For my part, I remember well the anticipations with which it began. I remember hearing a man, who will be allowed to have been distinguished by as great sagacity as ever belonged to the most consummate statesman,---I remember hearing Mr. Pitt, not in his place in parliament, (where it might have been his object and his duty to animate zeal and to encourage hope), but in the privacy of his domestic circle, among the friends in whom he confided---I remember well hearing him say in 1793, that he expected that war to be of very short duration. That duration ran out to a period beyond the life of him who made the prediction. It outlived his successor; and the successors of that successor; and at length came suddenly and unexpectedly to an end through a combination of miraculous events such as the most sanguine imagination could not have anticipated. With that example full in my recollection, I could not act upon the presumption that a new war once begun would be speedily ended. Let no such expectation induce us to enter a path, which, however plain and clear it may appear at the outset of the journey, we should presently see branching into intricacies, and becoming encumbered with obstructions,--until we were involved in a labyrinth, from which not we ourselves only, but the generation to come, might in vain endeavour to find the means of extrication.

For the confirmation of these observations I appeal to that which I have stated as the last of the considerations in reference to which the policy of the British government was calculated---I mean---to the present state of the world. No man can witness with more delight than I do, the widening diffusion of political liberty. Acknowledging all the blessings which we have long derived from liberty ourselves, I do not grudge to others a participation in them. I would not prohibit other nations from kindling their torches at the flame of British freedom. But let us not deceive ourselves. The general acquisition of free institutions is not necessarily a security for general peace. I am obliged to confess that its immediate tendency is the other way. Take an example from France herself. The representative chamber of France has undoubtedly been the source of those hostilities, which I should not have despaired of seeing averted through the pacific disposition of the French king. Look at the Democracies of the ancient world. Their existence, I may say, was in war. Look at the petty republics of Italy in more modern times. In truth, long intervals of profound peace are much more readily to be found under settlements of a monarchical form. Did the republic of Rome, in the whole career of her existence, enjoy an interval of peace of as long duration as that which this country enjoyed under the administration of sir R. Walpole?—and that interval, be it remembered, was broken short through the instigation of popular feeling. I am not saying that this is right, or wrong—but that it is so. It is in the very nature of free governments: and more especially perhaps of governments newly free. The principle which for centuries has given ascendancy to Great Britain, is that she was the single free state in Europe. The spread of the representative system destroys that singularity, and must (however little we may like it) proportionally enfeeble our preponderating influence;—unless we measure our steps cautiously, and accommodate our conduct to the times. Let it not be supposed that I would disparage the progress of freedom, that I wish checks to be applied to it, or that I am pleased at the sight of obstacles thrown in its way. Far, very far from it. I am only desiring it to be observed, that we cannot expect to enjoy at the same time incompatible advantages. Freedom must ever be the greatest of blessings; but it ceases to be a distinction, in proportion as other nations become free.

But, Sir, this is only a partial view of the subject; and one to which I have been led by the unreasonable expectations of those who while they make loud complaints of the diplomacy of England as less commanding than heretofore, unconsciously specify the very causes which necessarily diminish and counteract its efficacy. There are, however, other considerations to which I beg leave to turn the attention of the House.

It is perfectly true, as has been argued by more than one hon. member in this debate, that there is a contest going on in the world, between the spirit of unlimited monarchy, and the spirit of unlimited democracy. Between these two spirits, it may be said, that strife is either openly in action, or covertly at work, throughout the greater portion of Europe. It is true, as has also been argued, that in no former period in history, is there so close a resemblance to the present, as in that of the reformation. So far my hon. and learned friend, and the hon. baronet were justified in holding up queen Elizabeth's reign as an example for our study. The hon. member for Westminster too, has observed, that in imitation of queen Elizabeth's policy, the proper place for this country, in the present state of the world, is at the head of free nations struggling against arbitrary power. Sir, undoubtedly there is, as I have admitted, a general resemblance between the two periods; forasmuch as in both we see a conflict of opinions; and in both, a bond of union growing out of those opinions, which established between parts and classes of different nations, a stricter communion than belongs to community of country. It is true—it is, I own I think, a formidable truth—that in this respect the two periods do resemble each other. But though there is this general similarity, there is one circumstance which mainly distinguishes the present time, from the reign of Elizabeth; and which, though by no means unimportant in itself, has been overlooked by all those to whose arguments I am now referring. Elizabeth was herself amongst the revolters against the authority of the church of Rome; but we are not amongst those who are engaged in a struggle against the spirit of unlimited monarchy. We have fought that fight. We have taken our station. We have long ago assumed a character differing altogether from that of those around us. It may have been the duty and the interest of queen Elizabeth to make common cause with—to put herself at the head of—those who supported the Reformation: but can it be either our interest or our duty to ally ourselves with revolution?—Let us be ready to afford refuge to the sufferers of either extreme party; but it is not surely our policy to become the associate of either. Our situation now is rather what that of Elizabeth would have been, if the church of England had been, in her time, already completely established, in uncontested supremacy; acknowledged as a legitimate settlement, unassailed and unassailable by papal power. Does my hon. and learned friend believe that the policy of Elizabeth would in that case have been the same?

Now, our complex constitution is established with so happy a mixture of its elements—its tempered monarchy and its regulated freedom—that we have nothing to fear from foreign despotism—nothing at home but from capricious change. We have nothing to fear—unless, distasteful of the blessings which we have earned and of the calm which we enjoy, we let loose again, with rash hand, the elements of our constitution, and set them once more to fight against each other. In this enviable situation, what have we in common with the struggles which are going on in other countries, for the attainment of objects of which we have been long in undisputed possession? We look down upon those struggles from the point to which we have happily attained, not with the cruel delight which is described by the poet, as arising from the contemplation of agitations in which the spectator is not exposed to share; but with an anxious desire to mitigate, to enlighten, to reconcile, to save;—by our example in all cases, by our exertions where we can usefully interpose.

Our station then, is essentially neutral:—neutral not only between contending nations, but between conflicting principles. The object of the government has been to preserve that station; and for the purpose of preserving it, to maintain peace. By remaining at peace ourselves, we best secure Portugal; by remaining at peace, we take the best chance of circumscribing the range, and shortening the duration of the war, which we could not prevent from breaking out between France and Spain. By remaining at peace, we shall best enable ourselves to take an effectual and decisive part in any contest into which we may be hereafter forced against our will.

The papers on the table, the last paper at least (I mean the despatch of the 31st of March*, in which is stated what we expect from France), ought, I think, to have satisfied the hon. baronet; who said that provided the government was firm in purpose, he should not be disposed to find fault with their having acted *suaviter in modo.* In that despatch, our neutrality is qualified with certain specified conditions. To those conditions France has given her consent. When we say in that despatch—we are "satisfied" that those conditions will be observed—is it not obvious that we use a language of courtesy, which is always most becomingly employed between independent powers? Who does not know that, in diplomatic correspondence, under that suavity of expression is implied an "or," which imports another alternative?

So far, then, as the interests and honour of Great Britain are concerned, those interests and that honour have been scrupulously maintained. Great Britain has come out of the negotiations, claiming all the respect that is due to her; and in a tone not to be mistaken, enforcing all her rights. It is true that her policy has not been violent or precipitate. She has not sprung forth armed, from the impulse of a sudden indignation; she has looked before and after; she has reflected on all the circumstances which beset, and on all the consequences which may follow, so awful a decision as war; and instead of descending into the arena as a party in a quarrel not her own, she has assumed the attitude and the attributes of justice, holding high the balance, and grasping, but not unsheathing the sword.

Sir, I will now trouble the House no further than to call its attention to the precise nature of the motion which it has to dispose of this night. Sir, the result of the negotiations, as I have before stated, rendered it unnecessary and irregular for the Government to call for the expression of a parliamentary opinion upon them. It was, however, competent for any honourable member to suggest to the House the expression of such opinion; which, if expressed at all, it will readily be admitted ought to be expressed intelligibly. Now what is the address which, after a fortnight's notice, and after the menaces with which it as been announced and ushered in, the House has been desired to adopt?—the hon. gentleman's address first proposes to "represent to his majesty, that the disappointment of his majesty's benevolent solicitude to preserve general peace, appears to this House to have, in a great measure, arisen from the failure of his ministers to make the most earnest, vigorous, and solemn protest against the pretended right of the sovereigns assembled *at Verona*, to make war on Spain in order to compel alterations in her political institutions."—I must take the liberty to say that this is not a true description. The war I have shown to be a *French* war, not arising from any thing done, or omitted to be done *at Verona*. But to finish the sentence:—"as well as against the subsequent pretension of the French government, that nations cannot lawfully enjoy any civil privileges but from the spontaneous grant of their kings." I must here again take the liberty to say that the averment is not correct. Whatever the misconduct of government in these negotiations may have been, it is plain matter-of-fact that they protested in the strongest manner against the pretension put forward in the speech of the king of France, that the liberties and franchises of a nation should be derived exclusively from the throne. It is on record, in this very address, that the hon. gentlemen themselves could not have protested more strongly than the government; since, in the next sentence to that which I have just read, in order to deliver themselves with the utmost force, they have condescended to borrow my words. —For the address goes on : "——principles destructive of the rights of all independent states, which *strike at the root of the British constitution*, and are subversive of his majesty's legitimate title to the throne" Now, by far the strongest expression in this sentence—the metaphor (such as it is) about "striking at the root of the British constitution"—is mine. It is in my despatch to sir Charles Stuart of the 4th of February. I claim it with the pride and fondness of an author; when I see it plagiarized by those who condemn me for not using sufficiently forcible language, and who yet in the very breath in which they pronounce that condemnation, are driven to borrow my very words to exemplify the omission which they impute.

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* See Papers, Class B. No. 43, p. 959.

So much for the justice of the address —now for its usefulness and efficacy. What is the full and sufficient declaration of the sense of the House on this most momentous crisis, which is contained in this monitory expostulation to the throne? It proceeds; "Further to declare to his majesty the surprise and sorrow with which this House has observed that his majesty's ministers should have advised the Spanish government, while *so* unwarrantably menaced"—(This "so" must refer to something out of doors, for there is not a word in the previous part of this precious composition to which it can be gramatically applied) ;—"to alter their constitution, in the hope of averting invasion; a concession which alone would have involved the total sacrifice of national independence, and which was not even palliated by an assurance from France, that, on receiving so dishonourable a submission, she would desist from her unprovoked aggression." (I deny this statement, by the way; it is a complete misrepresentation.) "Finally to represent to his majesty, that in the judgment of this House a tone of more dignified remonstrance would have been better calculated to preserve the peace of the continent, and thereby to secure this nation more effectually from the hazard of being involved in the calamities of war." —And there it ends;—with a mere conjecture of what "*would have been*!"

Is this an address for a British parliament; carrying up a complaint that the nation is on the eve of war, but conveying not a word of advice as to the course to be followed at such a moment?—I, for my own part, beg the House not to agree to such an address for this reason amongst others, that as it will be my duty to tender my humble advice to his majesty as to the answer to be given to it, I am sure I shall not know what to advise his majesty to say :—the only answer which occurs to me as suitable to the occasion is, "Indeed! I am very sorry for it."

This, then, is the upshot of a motion which was to show that the present ministers are unfit to carry on war or to maintain peace; and by implication, that there are those who knew better how such matters should be managed. This is the upshot of the motion, which was to dislodge us from our seats, and to supply our places with the hon. gentlemen opposite. It is affirmed that we are now on the eve of war, the peace which we have maintained being insecure. If we *are* on the eve of war, will not this be the first time that a British House of Parliament has approached the throne, on such an occasion, without even a conditional pledge of support?—If war is a matter even of possible contemplation, it surely becomes this House either to concur in an address for the removal of the ministers, who have needlessly incurred that danger; or, as the amendment moved by the hon. member for Yorkshire proposes, to tender to his majesty a cordial assurance, that this House will stand by his majesty in sustaining the dignity of his crown, and the rights and interests of his people. I trust, therefore, Sir, that by rejecting this most incorrect and inadequate address—as unworthy of the House as it is of the occasion;—an address contradictory in some parts to itself; in more, to the established facts of the case; and in all to the ascertained sense of the country—and by adopting in its room, the amendment moved by the hon. member for Yorkshire, and seconded by the hon. member for London—the House will stamp the policy, which the king's ministers have pursued—feebly perhaps—perhaps erroneously—but at all events from pure motives; in the sincerity of their hearts; and as conducive, in their judgment, to the tranquillity, welfare, and happiness, not of this country only, but of the world—with that highest of all sanctions, the deliberate approbation of the House of Commons.—[The right hon. gentleman sat down, amidst loud and continual cheers.]

Mr. *Brougham* said, that, in rising to address the House at so protracted an hour, he should be under the necessity of passing over a great variety of those topics to which the right hon. secretary had, at such considerable length, adverted; and he trusted the House would give him credit for the assertion, that he would not detain them one instant longer, nor advert to one single point beyond the limits in which he found himself bound by the strongest necessity. The House had just heard from the right hon. gentleman, a most able and eloquent address: that the man who rose to answer it, must have fearful odds to contend with; and those odds were rendered the more fearful, from the circumstances that that address was a long one, and that the reply to it would be addressed to the minds of a jaded audience. But as he trusted that the merits of this momentous question would not be decided on the particular merits of a speaker on the one side or the other, but upon its own intrinsic merits, so he hoped to enforce a conviction on the minds of the House, that much yet remained unexplained—That the conduct of his majesty's ministers had been most unsatisfactory—that the country had been placed in a state in which she had never found herself before—that she had been compelled to suffer indignities which she would never before have put up with—and that therefore they ought not to shut their eyes to the facts of the case, and run away with the idea, that because the conduct of government had been defended in a most brilliant speech, the conduct of that government stood wholly spotless and unimpeached. He would take upon himself the task of showing, that that speech contained not one tittle of justification. Moreover, if time and the patience of the House would admit, there was not a particle of that harangue, to which he could not give a satisfactory answer, both from the admissions of the right hon. gentleman and his friends, and from the papers which the right hon. gentleman had laid on the table of the House. He knew that this was a very large promise to make—he knew that this was a very ample pledge to fulfil. Let the House, however, but give him a small portion of that patient attention which it had already bestowed on others, and he would redeem that pledge, and make good that promise; and to the accomplishment of that purpose he would now proceed without further introduction.—

The House had heard, in the speech of the right hon. gentleman, many admissions, with respect to the conduct of the French government. Certainly, the language of blame had been largely applied—the language of vituperation had plentifully been heaped upon it. He wished, however, that he could have heard some of that strong language, that some of that vituperation, had been used in another place, and applied at another time. He was very much inclined to think, that what a certain author had said of fine writing, might be applied to fine speeches—"right words in their right places." From which he deduced, that the essence of a fine speech consisted in its being delivered in its proper place; and that, therefore, the speech of the right hon. gentleman, to be a fine speech, should have been delivered, not in the British House of Commons on the last day of April, 1823, for the purpose of a clap-trap, before a willing audience; but, in the congress at Verona, in the months of October or November 1822, before a less willing audience—before those to whom the right hon. gentleman had sent the duke of Wellington—before that potent and grave assembly, which was not always to be found crawling and crouching at the mandate of the right hon. gentleman—before those to whom stronger expressions would not only have been the most fitting, but, in every sense of the word, the most prudent. It was to this neglect that he objected. It was to the use which the right hon. gentleman had made of this neglect, that he objected. His objection was, that the remonstrances to the congregated allies had not been such as the country had a right to expect. The right hon. gentleman would have it, that that was not the proper time and place for such language. The right hon. gentleman said, that the machine at Verona "had worked well," that it had fully answered its purpose—that great powers had been put in motion—and that it had operated without noise. But noise was the very thing that was called for by the occasion. That was the misconception of the right hon. gentleman of which he complained. It was there that the right hon. gentleman had taken his distinction wrongly, priding himself upon shrinking from the full interpretation of treaties—as if there were not cases in which words were facts—as if there were not treaties in which policy would rather go beyond the fulfilment than consent to retreat from them, and get rid of their obligations by a little more or less of criticism on their contents — a little stronger or a little weaker language and argument in construing them. His objection was, that that strong remonstrance, which Europe and Spain and this country had a right to expect, had not been made. They were told that the machine worked well enough. The right hon. gentleman would have it, that something had been done by merely effecting the object of preventing a joint remonstrance on the part of the allied sovereigns —of hindering them from putting themselves in action in their "corporate capacity." This machine, of which the right hon. gentleman was so proud, had said at Verona, "Come what come may, England will never interfere, will never concur with, will never join the allies in making war upon Spain, because Spain will not make such alterations in her constitution as may be pleasing to the allies." Why, no man, who was at all acquainted with the principles or the feelings of the people of England would have dared to propound a contrary doctrine. The most insane councillors that ever surrounded the throne would not have presumed to have said otherwise. But the right hon. gentleman had congratulated himself upon the success of this intimation. He said it had produced the effect which was intended. He (Mr. B.) denied that it had done so. It had failed—failed, as so futile a truism was certain to do.

He should not trouble the House, any more than the right hon. gentleman had done, by referring to the papers; but he could not avoid calling the attention of the House to what had been granted to France at the congress of Verona. The allied sovereigns had promised, that "they would act as France should, in respect to their ministers in Spain, and would give to France every countenance and assistance she should require." Now, he would ask any hon. gentleman whether more could have been granted to France by the holy alliance, than had been granted by them, as distinctly stated by the duke of Wellington? All that France had asked for had been granted. It would have been difficult, even with the obliging disposition which the congress had manifested, to have granted more. If a commentary upon these concessions were wanted, he could find it in the case of the duke Mathieu de Montmorency, who, upon his return from the congress, had been created a duke for the advantageous terms he had obtained from the allies. There was another circumstance which the right hon. gentleman had omitted to allude to. M. de Villèle, who was not quite so great an *ultra* as the duke, was not entirely satisfied with the steps he had taken as to the war; and, so far had his colleague outrun his own ideas in this respect, that the duke was compelled to resign, and to leave to the more moderate M. de Villèle the direction of the government. Here, then, was a proof that what had been done at Verona was not even satisfactory to the moderate party in France—that Verona which the right hon. gentleman had made the scene of his triumph, but which he (Mr. B.) thought was the place of his discomfiture, where he said that his silent but vigorous machine had accomplished its end happily and successfully, and which machine had one great merit, that of working without noise.

One word more as to what was called the Verona case. By the decision there, the war was not decided upon, nor was the assistance to be given, except in certain cases, not one of which had happened —the personal safety of king Ferdinand, and the occurrence of such events as might make out a *casus fœderis.* This was, however, so vague a stipulation, that it was no security to the peace of Europe. It was just what France wanted; because, the facility with which she could convert every seeming want of respect to the king or to his family—could misconstrue any popular incivility—would leave her never at a loss for the grounds of the *casus fœderis*, and the pretext for a war which she was bent on commencing. He was not the only opponent of the right hon. gentleman, who believed that the real Verona case, as it was then and there established, was not as it regarded Ferdinand personally, or as it applied to any insult or wrong, frivolous or material, which might be offered to him or to his family. This, he believed, was the large and sweeping condition.—It was said to France—"You shall have the assistance of Russia, whose armies, and if need be, those of the Tartars to back them, shall march with you, whensoever the revolution in Spain shall have assumed such a shape as you shall think formidable, or when the power of France shall seem to be in danger." It was his entire belief, that no man in the House differed from him in this opinion with regard to the Verona case; that there was no man who did not believe that the three manifestoes sent by the allied sovereigns to the Spanish government were the first fruits of the victory which the right hon. gentleman's silent engine had gained. These three manifestoes were all to the same purport, though varying in style—all three propounded the monstrous doctrine of international interference, whenever and wherever the three despots should think fit to attack the rising liberties of the nations of Europe. What cared he, what cared Spain, what cared Europe, whether there were one or three papers, whether they were all written on one sheet of paper with the three signatures subjoined, or upon three separate pieces of paper, with the name of each individual monarch attached? He was satisfied that they all bore the same language, or, at least, only varied the insult. These men were in one league, animated by one soul, intent on one common purpose; and to execute that purpose, they had come to one common resolution. France knew, the people abroad knew, and if our government were not still more ignorant and more completely dupes than the papers on the table seemed to pronounce them, they must also have known, that as soon as occasion should offer, a movement would be made on the part of Russia; the Vistula would swarm with soldiers; the army encamped on its banks would cross its waters, and, marching through Germany to France, that gallant nation would once more be subjected to the calamities of war, and draw down upon herself, by the crimes of her princes, the misfortune of becoming the slaves of despots.

The remonstrance made by this country could not, by possibility, be attended with success; seeing that the inhabitants of foreign countries were incapable of discerning from that remonstrance the opinion which prevailed in this country. They knew little of the institutions of England, and their ignorance sometimes displayed itself in a ludicrous—sometimes, as in the present instance, in a lamentable shape. He regretted that a feeling of duty compelled him to mention the name of a late noble statesman, of whom, although he could not speak in the terms of warm panegyric which the feelings and the intimacy of a right hon. gentleman had prompted him to adopt, he would not be understood to express his disapprobation of his policy with any feeling of personal hostility. Unfortunately, the late lord Londonderry was so mixed up with the policy of the allies, by his connexion with them and with their ministers, that they looked upon him as a man swayed by their own feelings, partaking their own views, and all but their own absolute slave. He (Mr. B.) spoke this under the authority of persons of distinction in foreign courts, by whom, as well as by others, the opinion was universally entertained, that that noble lord could do whatever he pleased, that he was opposed to the people and to popular rights, and that he hated the name of constitution, but especially that of his own country. The consequence of these impressions was, that it required language so plain as to leave no doubt in the minds of the persons and of the nation to whom it was addressed—remonstrances so strong as to awaken the slumbering faith of these foreign statesmen—conduct so straightforward and unequivocal as to render it a matter of absolute certainty, that the policy of this country upon the then present occasion was not the policy of the late lord Londonderry. In the absence of such language and such conduct, the government might have entreated and suggested to the end of time, without persuading the congress of Verona that they were sincere in their protestations.

Another instance he would give the House, of the excessive degree of ignorance which prevailed in France as to England and English affairs. In a work written by a high and distinguished foreigner at no very distant period from the present time, and upon which work some portion of that individual's literary fame was founded, he stated, that having resided in this country for more than two years, in great intimacy with the people, he had

had sufficient opportunities of observing their characters and habits; and, among others, he noticed that they were so fond of all occasions of grief and mourning, that there were hardly any of their dramatic representations in which funerals were not introduced. "Such delight" he adds, "do these sombre islanders take in sad spectacles, that they frequently assemble for the purpose of being entertained by the spectacle of a funeral;" and this he endeavoured to prove, by referring to the fact, that on many of the labels displayed at the doors and windows of tradesmen were to be found the words, "Funerals performed here." [A Laugh]. This might perhaps appear ludicrous; he would therefore proceed to a topic which would more nearly interest them. The ingenious and accurate author went on to say, that the House of Commons was composed of three parties, the Ministerial, the Opposition, and a third party called the "Anglicans."—The House, he dared to say, had not before been aware of the existence of this party, but the author had nevertheless discovered it. These latter, continued this writer were more numerous and more powerful than all the rest. They were one hundred in number, and at the head of them was his hon. and revered friend, the member for Bramber. They were men who had strong feelings for religion, but it was for no religion except their own. In this the author was as accurate as he was in the rest of his statement; for he knew that the religion of his hon. friend was that of the established church. Their wives, he continued to say, dressed as Quakers; but both they and their husbands gave up all their revenues to the poor. Of this party was Mr. Pitt, and his wife, and it was by their influence that he had so long contrived to keep his office. This author, the House would perceive, became more accurate as he proceeded; for he said that the Opposition party were almost without credit; their chief was Mr. Fox, who had lost all his eloquence from the effect of old age, and the excesses of his youth. After the description which he had given of his book, it was perhaps not necessary for him to state that the liberal and enlightened author of this book was no other than the same person whom the right hon. gentleman had so ably and so eloquently eulogized—neither more nor less than the viscount de Chateaubriand. He mentioned this merely to show the ignorance—the gross ignorance—in which those who had been allowed to dictate in this matter remained, as to the state even of the different parties in this country. The right hon. gentleman had told the House, that the French government had not been guilty of perfidy, but that their councils were in such a state of vacillation, that they were never for two days in the same mind. Now, it did appear most extraordinary, that in the midst of all their daily shifting and changing, no opportunity was found to turn the balance in our favour. That was the only point upon which there had been no vacillation. The only symptom of steadiness in the French councils that he had been able to discover, was a steady, obdurate, consistent, vigorous determination formed and acted upon, never to listen to England—always to join the allies when opposed to us. He would venture to say, that throughout the whole of these papers, from the commencement to the end, there was exhibited such a tissue of consistent, uniform dupery, on the part of the French government, as was without a parallel in the annals of diplomacy. In the first instance, a *cordon sanitaire* had been collected on the Spanish frontier, for no other purpose, as was said, than to prevent the spread of an infectious fever. The government of England, without any proof of the existence of this fever, believed the statement; and, when this cordon was changed to an Army of Observation, and the physical was changed to a moral contagion, our government was no less contented. Another point which could not fail to rouse every English feeling was, that during three years which the negotiations had occupied, we had communicated all our proceedings to France, while we were reduced to the humiliating avowal, that she had not communicated one tittle to us. A remarkable part of the dupery of France was, the disavowal of any warlike intention, at the very moment when steps were taking for the commencement of hostilities. The 28th of January produced the French king's speech, breathing nothing but war, and yet accompanied by a statement that it meant nothing less than peace. When the House of Commons met, gentlemen were told to pause, because the negotiations were still going on, and hopes of accommodation were still entertained. At another day, they were told that these hopes were diminished; as if to show that matter was not the only thing subject to infinite divisibility, but that hopes and feelings were in like manner to be divided. At last, in the beginning of March, they learnt that there was but a ray of hope; and this was when the Army of Observation was reinforced by 100,000 men who were actually on their march towards Spain. Let the House now see the use which France had made of this country. Although threats were not to be held out to France, yet it appeared that we might threaten Spain when France called upon us to do so. The House would find that sir W. A'Court had been instructed to ask for certain important changes in the Spanish constitution. He (Mr. B.) professed himself decidedly hostile to any such interference; and it was with astonishment and regret he had heard his hon. friend, the member for Bramber, express a wish that the Spaniards had yielded to that demand. [Mr. Wilberforce dissented.] At least his hon. friend had approved of the interference of the duke of Wellington. But who, he would ask, had a right to decide what were or were not the fit constitutions for any state, but the people themselves? Who could say that he was so well acquainted with the affairs of other governments, as to pronounce upon the expediency of applying to them his own theories? Even if they were able to decide those points which at present were disputed, what man could be so dead to all feelings of national honour, as to give up one iota when he was asked to do so, even by a friend, if that request should be accompanied by a hostile threat from another quarter. Governments were not to be thus treated: popular governments still less than any others: new still less than old, when the passions of the people were still under the excitement of recent revolution; and, least of all, that which was administered and governed by, and that which was so dear to the Old and New Castilians. For if ever there was one nation more than another which could never be expected to listen to a threat, it was that proud, honourable, and ancient people, known by the name of the Old Castilians. He would recommend to the right hon. gentleman to recollect the last experiment which he himself had made, not upon a foreign people, but upon that plain, simple, matter-of-fact person—the Yorkshireman, on the question of reform. The people of Yorkshire, though they valued their political rights, were by no means anxious to come forward in that cause; nor would they have done so had not the right hon. gentleman had the cleverness to taunt them with sarcasms about the embers of expiring flames, and red lions of Brentford, and kings of Bohemia. But the taunt had been answered by a petition, signed by 17,000 freeholders of that county—a revolt that must have convinced the right hon. gentleman of the danger of tampering with public opinion. He would entreat the House to consider what it was that was asked of the Spaniards. It was the liberty of the king, free from all appearance of restraint, and the cortes from the influence of the clubs. If they complied with this, what would their compliance effect? Not the averting the war—not the gaining the object in view: no such thing; but it would gain them the confidence of the French nation. By the advice we had given, or, as it was called, by the interposition of our good offices, we had coincided with the demands of France. This was what ministers denominated a just answer to the request of Spain. They said they had done all, and that they had done no more than Spain had demanded of us. He denied the assertion. They had done what was demanded by France against Spain, not what was requested by Spain with reference to France. It had been most justly observed by the hon. member for Westminster, that this was that sort of comfort, that sort of consolation, which a man would receive if, calling on a friend for assistance, when a highwayman had presented a pistol to his breast and demanded his money, the supposed friend answered, "Oh, yes, I will assist you. Let me come near you to take the purse out of your pocket; and when I have given it to the highwayman, you may be sure he will spare the purse which you have in your other pocket." He had been told by the right hon. gentleman, that the great rule of neutrality was in strict unison with a rule of the gospel. But ministers, in their proceedings towards Spain, appeared to have forgotten that rule. How would England have brooked to have been dealt with as she, or rather her government, had dealt with Spain? How would the people of England like to be called on for a re-modelling of their constitution, with such a threat hanging over their heads as had been levelled against Spain? How would they like to be threatened with invasion, if they did not make such changes in their system of government, as Spain had been called on to make? Suppose this sort of demand was made upon the ministers of this country to liberate his majesty the king from the fangs of the junto into whose hands he had fallen, and who persuaded him that they spoke the voice of the people of England—to give something like unity and force to the divided cabinet, by which the government was carried on—to protect the House of Commons, debating between two and three in the morning, against the overwhelming influence of newspaper discussion—to grant an amnesty to Mr. Hunt and Mr. Carlile—how, he demanded, would such a proposition be received? Strange as it might seem, the time might yet arrive when such a demand would be made; for such a time was likely to come, if this country allowed the monarchs of Europe to lord it as they pleased over the world. If such a system were permitted in Germany, in Italy, in Portugal, in Spain, and in France, and if it were not opposed, even by the remonstrances of this country, until some such threats were levelled against us, it was quite clear, that they who had proceeded so far would not stop out of respect or reverence to Great Britain. Sooner or later she was likely to meet with the treatment which had been extended to other states. With what a voice of indignation would that House and the country receive such propositions and such threats as had been made use of for the subjugation of Spanish liberty! They would be rejected with scorn. Nay, he would contend, that if the things demanded were ever so just—were ever so conducive to our interest—they would not be granted, if the appearance of force was employed for their attainment. They ought not to grant even Catholic emancipation if it were demanded in the same manner as England had called for the formation of two chambers in the Spanish government. The proposition for Catholic emancipation, made under such circumstances, would be resisted even to death, by those high-minded and honourable men who had passed their whole lives in the conscientious support of that question. They would rather go to the death—great as was their zeal for the Catholics—sincere as was their anxiety for the success of their cause—than take a step contrary to that which the glory and independence of their country demanded. All their feelings with respect to the Catholics would be turned into a new channel—and with the most perfect consistency—if foreign influence were attempted to be exercised. They would exclaim, "because we are the friends of the Catholics—because we are the advocates of justice—because we are the supporters of religious freedom—we will not now degrade the sacred cause which we espoused, by the appearance of any bargain or compromise with the people who are supposed to be in distress." There was no danger which he would not encounter—there was no benefit which he would not forego—if the escape from the one, or the attainment of the other, were to be accomplished by means which were accompanied with a threat: if a threat were to be the price of safety, or of success, he would renounce them both, in consequence of the condition attached to them. Such, he felt, were the prevailing sentiments throughout England; and yet his majesty's ministers expected that the high-minded Spanish people in their jeopardy would not feel the same sentiment when they were so grossly threatened.

It was a very remarkable thing that ministers, during the whole of these negotiations, had never said one word to the French government on the subject of their Army of Observation. The right hon. secretary had said, that "the Army of Observation was an internal concern of France." To this he would answer briefly that it was not; and, even if it were so, it was not more an internal concern of France than the changes in the Spanish government were an internal concern of Spain. But yet, while Spain was asked to alter her constitution, ministers never said a word to France about what he would call that great bugbear, the Army of Observation, the object of which evidently was, to spread corruption through Spain, and to excite disaffection in the minds of the Spaniards. He, however, knew not through what delusion the right hon. gentleman could call this an internal concern of France. Could any thing have more the appearance of an external object, than the bristling all the French fortresses with guns—than the declaration that France was ready to march 100,000 men over a stream—a rivulet—an imaginary kind of boundary? We, of all people, to deny that this was intended for an external attack!—we, of all people, to allow it to be said that France had no ambitious project in view!—we, of all people, to declare this!—we, who had formerly insisted, that the encampment of an enemy on the opposite coast was a ground of war for ourselves! Why, it was not more than twenty years ago, since papers had been brought down to this House—papers not more creditable than those which were now upon their table—from the contents of which it was argued, that because France had employed a number of armed men in the face of our ports, we were justified in going to war. Now, suppose a member of the House had on that occasion got up and said—"Why, gentlemen, this is all an internal concern: you are not to pay those troops; you are not to supply them with provisions; it is entirely a matter of internal arrangement;" would such an appeal have been listened to with common gravity, much less with common patience? The question was at that day viewed in all its bearings by the greatest men that had ever blessed this country. No question had ever been more minutely examined by the friends of peace; but, amongst all the topics which had then been urged, no one ever thought of stating that the assembling of a large French force on the coast opposite to England was entirely a French internal concern, and had no reference whatever to the situation of England. The conduct of the government of that day impeached the false principle which was now laid down. It impeached that illogical inference which the right hon. gentleman had thought fit to draw, and which was most mischievous in its application. [Hear, hear.]

The House had been told, that the duke of Wellington, of all men, had the best right to interfere on this occasion. No man was more willing than he was to admit that fact. No interference on so delicate an occasion could come through a more respectable channel—could be used with a better grace—or was more likely to do good, than that of the noble duke. To the individual interfering, he had not objected; but he complained that the noble duke had interfered in a particular way. The House had been asked by a noble lord (F. Gower), in a speech of considerable ability and much promise, whether, if the duke of Wellington had not been employed on that occasion, the general cry would not have been—"Why has he not been called on for his services?" Now, he should like to know who had cried out against the employment of that noble person? It was not the employment of the noble duke which was complained of; but that was complained of which would have proved a subject of complaint—namely, that his efforts were made for improper purposes. He was employed to communicate a threat—and a threat he did communicate. He was employed to give his voice in favour of France; and undoubtedly he had done so. He had observed with great pain how the noble duke had conducted himself on that occasion. The Spanish nation were under great obligations to him—no man could have served them better. But how did the noble duke proceed on this business? He sent a mission to Spain, he selected a friend of his own, a distinguished man, whom he would not name, as a blank was left in the papers where his name ought to have appeared; but of whom he would say, that a more amiable, a more sensible, a more gallant, and at the same time a more sagacious counsellor, did not exist within the boundaries of Spain, than the Spanish general to whom allusion was made in these despatches. Him did the noble duke employ for the purpose which he would afterwards mention. But, before he proceeded, he called upon the House to bear in mind the counsel which that individual had given to the Spanish monarch, and the assistance which he had afforded him in his adversity; and he also called upon them to recollect the return which he had received. He had been basely persecuted by the king of Spain. He had been treated with the utmost cruelty, for having conquered that crown which Ferdinand had ingloriously thrown away. He had fought and bled through the whole of his career, to recover that diadem which Ferdinand had dishonourably abandoned, and he had been, for his patriotic deeds, rewarded by incarceration in a loathsome dungeon. This treatment he received at the hands of Ferdinand. But he had lived to forgive it. Of this individual he would say, that he was wholly English—as much English as the habits of any Spaniard would allow him to be. At the time of the battle of Waterloo, this noble-minded individual, who was in the neighbourhood of that place, had declared the high satisfaction he felt from the reflection, that that immortal victory had been achieved by Englishmen. Such was his love for England—such was his desire for her predominance, arising from the feeling, that the more influence England had, the better it would be for the liberties of Spain! It was to this person—so dear to Spaniards and so closely attached to England, that the duke of Wellington confided his sentiments with respect to Spain. He told him to submit to Ferdinand—to let that monarch increase his powers—arm himself with new prerogatives, and again run riot and inflict punishment on his patriotic subjects. He must say it was with feelings of shame and of sorrow that he stated the transmission of such a message to such a party. His hon. friend, the member for Bramber and others, never failed to remind the House of the gratitude which was due to us from Spain. But, was that the only party on whom we had claims of gratitude? For whom, he would ask, had so much British blood been spilt, but for the Bourbons? And, when it was said, that we had no influence at Madrid, what, he would ask, had become of our influence at Paris? This country had put Ferdinand upon his throne, by the assistance of the Spaniards; but they had placed Louis on his throne, in defiance of the French people. [Cheers]. The gratitude due to us by the Spanish people was as a grain when compared with the immense load of obligation under which we had laid the Bourbons—that race who, as had been well observed by M. Talleyrand, had not, during thirty years of adversity, forgotten any thing nor learned any thing. He thought it was not too much that Louis the 18th should recollect who it was that brought him back to the throne---that he had been carried back, not in the front of an army which had conquered his crown, but in the baggage of that army. Not one of his family was found fighting in the ranks of that triumphant host. They were all stowed amongst the baggage. And now, after all the blood and treasure which had been expended for that family, England, it appeared, was not to ask the head of it a single request, how much soever it might redound to our interest, or however just it might be in itself!

It has been said that the question was —should we go to war or continue at peace? Now, he must say, that remonstrance was not war; and he at the same time denied that this country ought not to threaten or menace, when they did not intend to go to war. But of this he was sure, that if menace had been used, and a determination to go to war had been expressed, hostilities would have been prevented, and peace secured. It was said, that his majesty's ministers had acted wisely in differing from a set of visionary enthusiasts, who would have plunged the country into war. He denied the assertion. He knew of no persons who wished this country to proceed to hostilities. But, there were persons who said—"If you had declared that, if your remonstrance failed your purpose was to go to war, such a course would have prevented war." And with those persons he agreed. In the better times of England a menace, certain to be supported by war, would have stopped hostility, and secured peace. He confessed he could hardly expect, from our present estimation in Europe, that such a result would follow so directly our remonstrance. Yet why not have secured Spain by the same mode by which we shielded Portugal? Were gentlemen prepared for the state to which our commercial interests would be reduced by a declaration of France of a blockade of the whole coast of Spain? Was any man ignorant of the extent to which we had pushed the rights of the belligerent towards the neutrals during the last war? Acting upon that acknowledgment, France possessed the power of putting two or three hundred miles of the coast of her enemies under a perfect blockade. Could any man believe under such circumstances, but that the interests of our merchants, of our ship-owners, and of our seamen, would be affected by such a state of things as ultimately to lead to war? Yet, as true asthat the eldest son was the heir to his father, so true was it, that France would assume all those rights towards neutrals, which we had acted upon during the late war. The house would bear in mind the negotiations and the armaments in which this country had engaged, in 1789, on the seizure by the empress of Russia, of Oczakow. It could not forget that on that memorable occasion, my lord Liverpool had given the first promise of those talents, which had led him successively to the high station which he now enjoyed. It was by him, in supporting that armament, contended that by such invasion the balance of power was invaded; and, at the seizure of that petty fortress on a barren strand, the whole world grew pale, because it was impossible that it could be blockaded by our generous ally, the Turks. And yet we had that night heard the right hon. secretary for foreign affairs, the colleague of lord Liverpool, with a degree of innocence and ingenuousness worthy of the golden age, calmly tell a British House of Commons, that he, for his part, felt no solicitude, though 100,000 Frenchmen had taken military possession of Spain! In the confidence which the right hon. gentleman reposed in the French government, he could by no means concur. With the conviction that he entertained of their ingratitude, their duplicity, their lust of dominion, it would be base pusillanimity in him, a treacherous abandonment of his duty to his country, if he did not openly avow that conviction. He had now ended his review of the arguments of the right hon. gentleman, and those who coincided with him. He had endeavoured, to the utmost of his power, though labouring under a severe indisposition, to state his sincere impression as to the character of that negotiation, which he contended had been so discreditably to the honour and interests of this country conducted by his majesty's government. But how came it, that those who were so ready to uphold that conduct in their speeches, had not ventured to embody their panegyric in the amendment? Why had they not proposed an explicit resolution? Why endeavour to evade the consideration of that conduct by a side wind? In their amendment not a syllable was to be found expressive of approbation—no thanks—no testimonies of ministerial desert—not a word of any such comfort—and he verily believed that with the exception of some, perhaps six persons, who were pledged to their patrons by the offices they held, not a man could be found in that large assembly to stand up and propose a resolution of thanks. They were obliged to leave it to an amendment by these "moderate men" of whom the chancellor of the exchequer had spoken, who were moderately satisfied. The hon. mover of the amendment, one of these dear "moderate men," would not forsooth, vote a censure on ministers, lest it might give a triumph to their opponents, and endanger the existence of the government; and yet with his feeling of moderation, the hon. gentleman's amendment savoured more of war than the original proposition. But, it was a subject of deep-felt congratulation with him, that, even from those by whom the conduct of his majesty's government had been even thus moderately approved, not one word had fallen from any man of whatever side, of whatever party in the House—either the supporter or the opponent of the administration—in extenuation of the atrocious aggression of France. No man had been found base or desperate enough to pollute the air of that House, by uttering a single syllable that could be construed into a justification of that abominable act of injustice. No volunteer assassin of public liberty—no greedy pander to the passions of those spoiled children of royalty, who wielded the sceptres of Europe, had dared, within those walls, to utter a sentence in its defence. A character of that description he sincerely believed, did not belong to the country, much less to an enlightened and free assembly. Words, it was said, had been uttered elsewhere, which might bear somewhat of such a construction, but as he had not heard them himself, he must believe that they had been misconceived, or uttered in the heat of discussion, or, peradventure, not uttered at all, by the individual to whom they had been attributed. For the honour of the country—for the honour of the House of Commons—he wished it to go forth to the extremity of the earth, that, after a full discussion of three days, in which men of every party had delivered their opinions—men amongst whom existed strong political differences—there was not an individual who had not loudly expressed his strong reprobation of the unjustifiable principles of the allies, and of the atrocious conduct of the French government towards Spain. It had been imputed to him as an offence, that in describing the conduct of these foreign despots, he had used strong language. He had used strong language. And why? Because the occasion demanded it—because the paramount claims of justice called upon him to give vent to those feelings which he knew actuated the people of England, and which could in no place be expressed with so much effect as in the House which was said to represent them. He had also used such language, because he felt that strong expressions of reprobation could not proceed with propriety from the right hon. gentleman and his colleagues; and, as such expressions ought to be used in a British House of Commons, he had followed the impulse of his heart in discharging a duty to his country and to mankind [hear]. But, he would fain ask, who were his accusers?

Was it the hon. member, who, though he would not menace on behalf of Spain, had no objection to eat and drink in sympathy with Spanish wrongs? If the hon. member for London was his accuser he would recall to the recollection of the House the hon. member's own marked "execration" at the conduct of France. Was it the hon. mover of the amendment—he who had proclaimed his abhorrence at the abominable principles of the allies and the aggressions of the Bourbons? Was it the noble lord (F. Gower), who, with a forbearance and temperance, not rarely the accompaniment of youth, had read a lecture to all statesmen, as to the impropriety of language which was unbecoming itself—and could only do mischief to the cause in support of which it was applied—but who still felt so forcibly the injustice of French aggression, that he could only ascribe it to frenzy—to insanity, of a description, which he (Mr. B.) the accused, would not repeat—not certainly on account of its meekness, but because he thought it too highly seasoned. Did he blame the noble lord for that ebullition of feeling? Certainly not. The voice of nature had prevailed over the artifices of refinement; and the restrictions which the noble lord would impose, had disappeared before the generous impulses of the heart aroused into indignation.

Having thus, he trusted, shewn to the House that the language which all had used in speaking of these abominable and odious principles of policy, was the language which all felt, and which was alone applicable, he wished to address one word to his hon. friend who had originated the present discussion. He implored his hon. friend, with the knowledge that they all had of the expressed opinion of every party in that House as to the character of the outrage on Spain—with the certainty that the amendment of the hon. member for Yorkshire conveyed no testimonial of approval of the conduct of the recent negotiations—that he, for the sake of the great cause which he had so ably advocated, would not risk the powerful effect of such a real unanimity, by hazarding the chance of the interpretation which might be given by persons unacquainted with our forms and mode of proceeding to what was called a division of that House. There was no triumph of party, however gratifying, that he would not cheerfully abandon, to provide against such a mischief. No division, however flattering to those principles which he ventured to support, could compensate, in his apprehension, for the disadvantage to the best interests of mankind, which would inevitably be the effect, if an unintelligible vote should go out to the world—one which was certain to be misapprehended by the ignorance of some, and misconstrued by the interests of others. These were his motives in calling upon his hon. friend to make any sacrifice of his own feelings to the general unanimity. It remained for him to thank the House for the indulgence with which, at that late hour, they had been pleased to give him their attention, assuring them most sincerely, that nothing but the deep importance of the question could have induced him to trespass at such length on their patience. [Loud cheers].

The *Lord Mayor*, amidst loud cries of question! stated his intention to support the amendment.

Mr. *Macdonald* said, in reply, that the three nights debate which had taken place would, he was confident, serve as an antedote to the mischief occasioned by the feebleness of the language adopted by his majesty's ministers, in the course of the recent negotiations. There was but one word in the amendment in which he could not concur. It was the word "earnest," as applied to the endeavours of ministers. If it meant merely, that ministers had been themselves earnest in their endeavours, he did not quarrel with it; and, on the grounds stated in the appeal which had just been made to him by his hon. and learned friend, he was ready to withdraw the address which he had proposed, and allow the amendment to stand as an original motion. [Cries of "no, no: divide divide"!]

Mr. Secretary *Canning* said, that after having suffered for three long nights the constant, unceasing, unremitting, and unsparing lectures of the hon. gentlemen opposite, for a too ready concession to the views of foreign powers, it was incumbent upon him and his colleagues to show, that they had profited by the lesson that had been taught them, and that, though satisfied themselves with the amendment, they could not concur in the suggestion of withdrawing the original motion.

The gallery was then cleared for a division. The Opposition members rose in a body to leave the House. Some ministerial members below the bar, having, however, called for a division, the doors were in consequence closed, and the Opposition members were compelled to remain in the House. The Speaker then put the question on Mr. Macdonald's original motion, which was negatived without a division. He next put the question on Mr. Stuart Wortley's amendment. The Ministerial members cried "Aye:" the Opposition members remained silent. The Speaker declared, that the question was carried in the affirmative. Some members on the Ministerial side, anxious that a division should take place, called out that the "Noes" had the majority. The Speaker thereupon desired those who intended to vote for the amendment to go into the lobby, and those who meant to vote against it to remain in the House. The Opposition proceeded into the lobby, together with the ministerial voters; but a few members on both sides were shut in the House, in consequence of the lobby being too small to contain the united numbers. The numbers were—For the Amendment, 372. Against it 20. Majority, 352.

The following are the names of the gentlemen who remained in the House, and in consequence composed the Minority.

List of the Minority.

Blake, sir F.
Barrett, G. B. M.
Bentinck, lord W.
Clifton, lord
Ellice, Edmund
Gipps, G.
Grant, col.
Grant, M.
Glenorchy, lord
Hutchinson, C. H.
Holmes, W.
Honywood, W. P.
Mitchell, J.
Maberly, J.
Maberly, W. L.
Milton, lord
Plummer, J.
Russell, lord J.
Wood, M.

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Hume, J.
Hamilton, lord A.

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